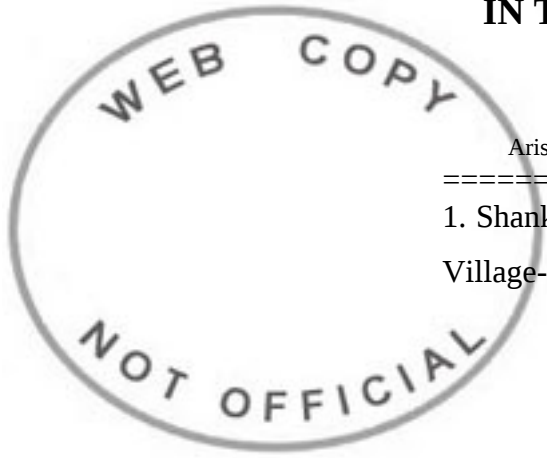




**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10404 of 2016**

Arising Out of PS.Case No. -236 Year- 2015 Thana -KANTI District- MUZAFFARPUR

=====

1. Shankar Sah @ Shiv Shankar Sah, Son of Late Chulhai Sah, Resident of  
Village- Sain, P.S- Kanti, District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
ORAL ORDER

2      04-03-2016                      Heard learned counsel for the petitioner and the  
State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 353, 225, 427 of the Indian Penal Code and 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act.

The prosecution case, as per fardbeyan of A.S.I., is to the effect that on secret information that Bittu Kumar, accused of Kanti P.S. Case No. 192 of 2015, under Sections 366A/34 of the Indian Penal Code, is available in his house. The informant along with other police



personnel raided to the house of Bittu Kumar. It is further alleged that when the informant and other police personnel tried to enter into the house of Bittu Kumar then petitioners and others stopped them at his door. The accused Chintu Sah abused the informant by calling caste name. In the meantime Bittu Kumar escaped from his house.

It is submitted by the learned counsel for the petitioner that accusation is omnibus and general of restraining the police personnel to not enter into the house of Bittu Kumar. The accusation has been levelled on suspicion and there is no accusation against the petitioner to abuse the informant by calling caste name. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. The father of Bittu Kumar namely Kamal Sah has been granted anticipatory bail by a Coordinate Bench of this Court vide Cr. Misc. no. 42551 of 2015.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Kanti P.S.

Case No. 236 of 2015, subject to conditions as laid down under  
Section 438(2) of the Code of Criminal Procedure.

**(Dinesh Kumar Singh, J)**

P.K./-

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