

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54938 of 2015

Arising Out of PS.Case No. -439 Year- 2008 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

Sanni Kumar Prasad @ Soni @ Sonu @ Sonu Sah S/o Prahlad Sah Resident
of Mohalla- Purani Gudari Turha Toli , ward no. 10, P.S Bettiah Town,
District West Champaran.

..... Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar , APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 25-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Bettiah Town P. S. Case No. 439 of 2008 registered under
Sections 341, 324, 307, 323, 427 and 504/34 of the Indian Penal
Code.

It has been contended that the case is of the year 2008.
Though the petitioner is not named in the FIR, the informant of
the case, who himself is the victim in the present case, has
specifically named Pramod Kumar and Sanoj Kumar in the FIR
as the miscreants, who had assaulted upon him on the date of
occurrence. It has further been contended that said FIR named
co-accused persons have already been granted anticipatory bail

by a co-ordinate Bench of this Court vide order dated 07.02.2011 passed in Cr. Misc. No. 1507 of 2011. The petitioner apprehends his arrest in the present case only because for the first time on 01.10.2015, the Investigating Officer has filed petition in the Court of Chief Judicial Magistrate, Bettiah seeking warrant of arrest against him.

Learned counsel for the State concedes that on examination of case-diary, it would appear that for the first time, the name of the petitioner transpired in course of investigation in para 100 on 27.05.2015.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in Bettiah Town P. S. Case No. 439 of 2008, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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