

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39569 of 2017

Arising Out of PS.Case No. -325 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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1. Alok @ Gauri Shankar Poddar @ Alok Kumar Son of Ram Chandra Poddar, R/o Village- Bikrampur, P.S.- Tajpur (Halai O.P.), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection with Tajpur (Halai O.P.) P.S.Case No. 325 of 2016 registered for offences punishable under Sections 147, 148, 341, 323, 324, 221, 222, 332, 333, 353 and 504 of the Indian Penal Code.

The allegation is that the F.I.R. named accused persons intercepted the police vehicle and got this petitioner forcibly freed from police custody and in course of that, the petitioner bit the Choukiar.

It has been submitted by the learned counsel for the petitioner that police had visited on 09.08.2016 at the place of this petitioner in connection with Tajpur (Halai OP) P.S.Case No. 141 of 2016, registered for offence under Sections 341, 348, 323, 354, 504 and 506 of 34 of the Indian Penal Code. The said case



was lodged by Bhabhi of the petitioner, namely Anjali Devi. The police, after obtaining the signature of the petitioner had freed him. The Uncle of the petitioner, in collusion with the informant of said case, has lodged this false case against the petitioner. There is absolutely no overt act from the side of the petitioner, as it was not possible for this petitioner to escape from the vehicle of the police, which was carrying him and so the petitioner deserves anticipatory bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

Considering the omnibus nature of allegation against the petitioner facts and circumstances, the prayer of anticipatory bail of petitioner is allowed and he in the event of arrest or surrender before the Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Tajpur (Halai OP) P.S.Case No. 325 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate, 1st Samastipur, subject to the conditions as laid down under Section 438 (2) of Cr. P. C.

(Sanjay Kumar, J)

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