

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25356 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Bholu Sah, son of Late Devisharan Sah, resident of Village- Belwa
Bahuari, P.S.- Guanaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Ms. Suman Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 10-07-2017 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor appearing on behalf of

the State of Bihar.

 This application, for grant of anticipatory bail,
arises out of Gaunaha Police Station Case No. 14 of 2017,
disclosing offences under Sections 341/323/379/504/
506/34 of the Indian Penal Code.

 The informant of the case is the son of a PDS
Dealer. It is alleged that the accused persons were
demanding ration, leading to some altercation between the
informant and the petitioner.

 Learned Counsel for the petitioner has
submitted that incorporation of Section 379 of the Indian



Penal Code in the First Information Report is super-imposition and petitioner's implication is mala fide.

Be that as it may, considering the nature of accusation, this application is allowed.

Let the petitioner, Bhola Sah, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, West Champaran, at Bettiah, in connection with Gaunaha Police Station Case No. 14 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on him part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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