

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6418 of 2019

Arising Out of PS. Case No.-320 Year-2018 Thana- NAANPUR District- Sitamarhi

KARI SAH Son of Late Jhulan Sah Resident of Village - Raypur, P.S.-
Nanpur, Distt- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 05-02-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nanpur P.S. Case No. 320 of 2018 for the offence under Sections 147, 148, 149, 341, 385, 342, 323, 354(A), 447, 448, 380, 427, 504 and 506 of the Indian Penal Code.

It is evident from the First Information Report that the dispute arose because the accused persons wanted to use the land for offloading sand, which was objected to by the informant. Allegedly 14 First Information Report named accused persons including this petitioner and 200 others attacked the informant and they snatched some cash and jewelry. It is alleged against the petitioner that he ordered other accused persons to outrage the modesty of the informant.

Learned counsel for the petitioner has submitted



that for the same occurrence, based on counter version, another First Information Report has been registered by the son of the petitioner. It has been submitted that there is exaggeration in the allegation made in the First Information Report so as to making the case more serious.

Considering the genesis of the occurrence and nature of accusation, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned S.D..J.M.(P), Sitamarhi in Nanpur P.S. Case No. 320 of 2018, subject to the conditions as 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 his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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