

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17306 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- SONBERSA District- Sitamarhi

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SATYANARAIN YADAV @ SATYANARAYAN YADAV, Son of Mahavir
Yadav, Resident of Village - Sahorawa, P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 353 and 504 of the Indian Penal Code.

The prosecution case as per the written statement of Hitesh Chandra Rai being, A.S.I., S.S.B. Indarwa submitted to the S.H.O., Sonbarsa P.S. is to the effect that the petitioner was indulged in smuggling of chicks and motorcycle parts from Nepal to India. It is further alleged that on 28.09.2018, the



petitioner was apprehended while he was smuggling 2000 chicken and again on 15.10.2018, the petitioner was apprehended while he was smuggling motorcycle parts. It is also alleged that the petitioner obstructed the informant and other police officials in discharging their official duty and also abused them.

It is submitted by learned counsel for the petitioner that the informant used to take chicken from the shop of the petitioner without making any payment and when the petitioner demanded his money, the informant threatened him and also assaulted him and as a retaliatory measure, the petitioner has falsely been roped in the present case. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation is specific against the petitioner and he is named in the FIR.

Considering the nature of accusation and the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond



of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **ACJM-IV, Sitamarhi** in connection with **Sonbarsa P.S. Case No.196 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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