

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48637 of 2019

Arising Out of PS. Case No.-159 Year-2019 Thana- BAIRIYA District- West Champaran

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SETH KUMAR CHAUDHARY @ SETH KUMAR Son of Hira Chaudhary
Resident of Village - Malahi, P.S.- Bairiya, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bairiya P.S. Case No. 159 of 2019 for the offence
punishable under Sections 376, 511/34 of the Indian Penal
Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, F.I.R.
has been lodged after lapse of one month from the date of
occurrence without explaining the plausible delay which
creates doubt over the prosecution version. As a matter of
fact, the two goats of the informant's father were sent to the



FATAK (Kanji House) by the petitioner as they caused damage to his crops and in retaliation this false case has been lodged against the petitioner which is evident from the Annexure-2 itself. Hence, the petitioner may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of their arrest or surrender before the court below within a period of four 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 the learned Additional District and Sessions Judge -cum- Special Judge, Bettiah, West Champaran in connection with Bairiya P.S. Case No.159 of 2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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