

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80304 of 2019

Arising Out of PS. Case No.-150 Year-2013 Thana- JOGAPATTI District- West Champaran

Emamul Sah, S/o Late Nathuni Sah, R/o Village- Sansaraiya, P.S.- Bettiah
(M), District- West Champaran. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory bail in connection with Yogapatti (Sanichari) P.S. Case No. 150 of 2013 registered for the offences punishable under Sections 467, 468, 471, 420, 414/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated this case, he has no concern with the activity of his father-in-law and at the relevant time he was at Saudi Arabia. It is further submitted that the petitioner has no concern with the seized vehicle and any forgery committed by anyone. It is further submitted that since the petitioner was at Saudi Arabia he was not knowing about the lodgment of the present case, so he could not approach for anticipatory bail earlier in this case.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein this petitioner has satisfied this Court on the issue of delay in moving this Court for grant of anticipatory bail by making a submission that he was in fact earning his livelihood in Saudi Arabia and was not at all aware of the acts and deeds which were allegedly done behind his back by his father-in-law with him he was not maintaining cordial relationship, this Court directs that in case the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, on the petitioner's producing sufficient proof of fact that he was in Saudi Arabia on the alleged date of occurrence when the Scorpio was seized, his prayer for regular bail shall be considered by the court below on the same day and an appropriate order shall be passed keeping in view that there is no specific allegation against the petitioner.

This application is thus disposed of with the aforesaid observations and directions.

(Rajeev Ranjan Prasad, J)

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