

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18328 of 2020

Arising Out of PS. Case No.-422 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

1. ANAND SAH @ ANAND KUMAR SAH S/o Late Ashok Sah R/o village- Ganeshpur, Tinpuliya Khiribandh, P.S.- Jagdishpur, District- Bhagalpur
2. Bikash Sah S/o Late Ashok Sah R/o village- Ganeshpur, Tinpuliya Khiribandh, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Counsel for the petitioners seeks permission of the Court to withdraw this application in respect of petitioner no. 2 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect of petitioner no. 2.

Heard learned counsel for the petitioner no. 1 and learned APP for the State.



The petitioner no. 1 is apprehending his arrest in a case registered under Sections 341, 323, 386, 504, 506/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that while construction was made by the informant at his site, the accused persons came and assaulted him and also snatched Rs. 50,000/- from him.

It has been submitted on behalf of the petitioner no. 1 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1. The petitioner no. 1 has falsely been implicated in the present case due to petty reasons. The matter has already been settled between the parties vide Annexure-2 to the present application. The informant does not want to pursue the matter as per Annexure-2.

On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioner no. 1 above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of



learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur (Bypass) P.S. Case No. 422/19, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner no. 1 shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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