

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84601 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- SAHPUR District- Patna

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JITENDRA KUMAR @ JITU S/o Manoj Singh R/o village- Bhagwatipur,
P.S.- Sahpur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2020 Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Sahpur PS case no. 95 of 2019 registered for
the offences punishable under Sections 147, 341, 323, 379, 504,
307, 120(B) of Indian Penal Code.

The allegation is regarding the accused persons
having taken the informant forcibly on motorcycle from the
school, whereafter they had kept him in a godown and had also
assaulted him as also had taken out a sum of Rs. 10,000/- from
his pocket. It is further alleged that the informant was threatened
by the accused persons for withdrawing the criminal case,
lodged by the father of the informant.

The learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in the present case on account of previous enmity in between the families of the informant and the petitioner herein. It is further submitted that there is no whisper of any sort of specific overt act, as far as the petitioner is concerned, which is apparent from a bare perusal of the F.I.R. in question, however merely on the basis of suspicion, the petitioner has been falsely implicated in the present case. The petitioner is stated to be having a fair antecedent except one case which has been lodged by the mother of the informant and in the said case, the petitioner is stated to be on bail.

Having regard to the facts and circumstances of the case and considering the fact that there is no allegation of any sort of overt act as far as the petitioner herein is concerned, I deem it fit and proper to grant the privilege of anticipatory bail to the petitioner.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Chief Judicial Magistrate-I, Danapur in connection with Sahpur PS case no. 95 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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