

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12510 of 2021

Arising Out of PS. Case No.-120 Year-2020 Thana- JALALGARH District- Purnia

SHIV CHARAN RISHI Son of Durganand Rishi Resident of Harchandrapur,
P.S.- Jalalgarh, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 16-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in Jalalgarh P.S. Case No. 120 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354 A, 354B, 385, 504 and 506 of the Indian Penal Code pending in the Court of learned S.D.J.M., Purnea.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been



falsely implicated in this case due to dirty village politics. As a matter of fact, co-accused, Anchan Devi, who is wife of the petitioner, is Sarpanch of the Panchayat and the mother of the informant is Ward Member and there are political dispute among them and for that reason this false and fabricated case has been lodged. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposing the bail petition submitted that the prayer for anticipatory bail of one of the co-accused, namely, Shiv Charan Rishi @ Shiv Narayan Rishi and another has already been rejected by this Court vide order dated 10.01.2022, hence, the petitioner also does not deserve anticipatory bail.

Considering the facts and circumstances of case as also the fact that it is difficult to understand who is main accused, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below



would pass order in accordance with law without being
prejudiced by this order.

(Anjani Kumar Sharan, J)

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