

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2320 of 2022

Arising Out of PS. Case No.-30 Year-2017 Thana- POTHIIYA District- Kishanganj

Sanjay Upadhyay @ Sanjay Kumar Upadhyay S/o Dinanath Upadhyay R/o
Pothiya, Pawakhali, P.S. - Pothiya, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar, APP.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Pothiya P.S. Case No. 30 of 2017 offences punishable under
Sections 147/148/149/452/341/332/333/307/353/186/379/427
and 120B of the Indian Penal Code and Sections 3/4 of the
Prevention of Damage to Public Property Act, 1984.

As per allegation, one Raju Hansda and Chowkidar
Dilip Harizan were apprehended in intoxicated state and for
which Pothiya P.S. Case No. 28 of 2017 was lodged. When the
police was attempting to apprehend them, Raju Hansda tried to



run away by jumping the boundary wall and he sustained some injuries. The local persons gathered and created chaos in police station and damaged some police property.

Learned counsel for the petitioner has submitted that the petitioner is not named in the F.I.R., he is a person of clean antecedent and on similar footing, co-accused Md. Sajjad has been granted bail by the coordinate Bench of this Court in Cr. Misc. No. 40997 of 2020 dated 02.11.2021.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M-II, Kishanganj in connection with Pothiya P.S. Case No. 30 of 2017, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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