

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25220 of 2021

Arising Out of PS. Case No.-544 Year-2019 Thana- BANKA District- Banka

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Santosh Kumar Roy Son of Sachendra Prasad Ray Resident of Village -
Khanwa, P.S.- Barahat, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr. Yogendra Kr. Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 323, 324, 307, 504, 342/34 of the Indian Penal Code,
Section 27 of the Arms Act and $\frac{3}{4}$ of the Explosive Substances
Act.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and has been falsely
implicated in this case. He submits that there is general and
omnibus allegation levelled against the petitioner. He submits



that three persons were apprehended by the police and thereafter the local Chaukidar who are inimical with the local people spelt the names of 23 persons of making unlawful gatherings. He submits that there is no injury report on the records, hence, entire story of pelting bomb and making firing stands falsified. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Banka (Barahat) P.S. Case No. 544 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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