

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16933 of 2022

Arising Out of PS. Case No.-366 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

RAJA SAH S/o Late Keshar Lal Sah R/o Village- Bharat Raut Katra, P.S.-
Hajipur (Town), Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in Hajipur Sadar P.S.
Case No. 366 of 2018 registered under Section 353/34 of the Indian
Penal Code.

Prosecution case in short is that a scuffle took place in jail
between two groups.

It has been submitted on behalf of the petitioner that there is no
allegation of tampering of witnesses alleged against the petitioner.
The petitioner has been made accused in the present case due to
mistake of fact. A scuffle is said to have taken place between two
groups inside the jail relating to that a case was instituted by the



jailor. The petitioner had no knowledge regarding the said case nor the petitioner was remanded in the present case from judicial custody in another case. When the petitioner was released on bail in connection with another case, he came to know regarding the institution of the present case. Hence, the present application has been filed. No specific overt act is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 366 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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