

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28492 of 2021

Arising Out of PS. Case No.-317 Year-2020 Thana- KESARIA District- East Champaran

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ARUN SAH @ ARUN KUMAR SAH S/O Ganesh Sah Resident of Village -
Dilawarpur, P.S. - Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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 a case registered under Sections 147, 148, 149, 341, 342, 302 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons assaulted the brother of the informant due to which he died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act



is alleged against the petitioner. Altogether 40-50 unknown persons have been made accused in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired merely on the basis of confessional statement made by the co-accused under Section 161 Cr.P.C before the police.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Kesariya P.S. Case No. 317/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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