

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18060 of 2022

Arising Out of PS. Case No.-236 Year-2021 Thana- BHAWANIPUR District- Purnia

UMESH PRASAD SAH Son of Late Bhuneshwar Prasad Sah Resident of
Village - Amari Kukroan, P.S. - Dhamdaha, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal, Sr.Adv Mr. Nityanand Mishra, Adv Mr. Kumar Rajdeep, Adv
For the Opposite Party/s :	Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-10-2022 Heard the parties.

Learned counsel for the State filed a counter-affidavit in
the present case. Let the same be accepted and kept on record.

Learned senior counsel for the petitioner is directed to
remove the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 147, 148, 149, 447, 302
& 120(B) of the Indian Penal Code.

It is submitted by learned senior counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case. No such occurrence,
in the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and
omnibus in nature. There is no specific overt act against the



petitioner. It is further submitted that the petitioner is a government employee and working as revenue clerk under the C.O., and he has no concern with the informant and other co-accused as well as occurrence in any manner. The petitioner is duty bound to obey the order of the concerned C.O. on who ordered the petitioner to issue the rent receipt. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, 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 Bhawanipur P.S. Case No.236 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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