

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32265 of 2021

Arising Out of PS. Case No.-149 Year-2020 Thana- BHELDI District- Saran

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HEERA BHAGAT SON OF LATE BHAGDEO BHAGAT Resident of
Village - Maksoodpur, P.S.- Bheldi, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-03-2022 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 Bheldi P.S. Case
No. 149 of 2020 registered under Sections 363/365 of the Indian
Penal Code.

Allegation against the accused persons including the petitioner
is of assaulting the informant's brother and of taking him away
somewhere.

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 falsely implicated in the present case. The
informant is not an eye witness to the alleged occurrence. The
informant has taken the name of the petitioner on the basis of



disclosure made by one Satish Choubey.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. Counsel for the state has examined the case diary and stated that said Satish Choubey has not been examined by the I.O. nor his statement under Section 161 of the Cr.P.C. has been recorded. In absence of such evidence, the participation of the petitioner appears to be doubtful.

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 to the satisfaction of Mr. Sushant Sagar, learned Judicial Magistrate-Ist Class, Saran at Chapra in connection with Bheldi P.S. Case No. 149 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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