

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27812 of 2022

Arising Out of PS. Case No.-61 Year-2020 Thana- PURUSHOTTAMPUR District- West
Champaran

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HARIOM SAH @ HARIOM KUMAR GUPTA S/o Late Lalji Sah Resident
of Village - Manjhariya, P.S.- Purushottampur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-09-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 147, 148, 149, 341, 323, 324, 307, 379, 427, 504, 506 of IPC and u/s 27 of Arms Act.

While the informant's nephew was going to bring milk, the petitioner along with other co-accused persons named in the F.I.R armed with various weapons are said to have caught fold



his nephew and started assaulting him. When the informant and others rushed in his rescue, they opened fire. They also entered into his house and committed loot *pat*.

It is submitted by learned 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. Similarly situated co-accused persons have been granted bail by this court vide order dated 14.12.2021 in Cr. Misc. No.8557 of 2021. 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 similarly situated co-accused persons have been granted bail, 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 Purushottampur P.S. Case No.61 of 2022, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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