

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38035 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- PARIHAR District- Sitamarhi

1. NAYAR IMAM @ NETAJEE Son of Late Muzaffar Imam Resident of Village - Balasat, P.S.- Nanpur, District - Sitamarhi, At present resident of Mohalla - Rajtoli, P.S. - Laheriyasarai, District - Darbhanga.
2. Govind Sahani Son of sukhdeo Sahani Resident of Village - Teliyapokhar, P.S. - Sadar (Mabbi O.P.), District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31900 of 2021

Arising Out of PS. Case No.-10 Year-2020 Thana- PARIHAR District- Sitamarhi

LAXMI SAH @ LAKSHMI SAH SON OF LATE SITARAM SAH, R/O VILLAGE- BELMOHAN, NEAR ANGANBADI CENTAR PUPRI GAON, P.S.- PUPRI, DISTRICT- SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 38035 of 2021)

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

Mr. Shailendra Kumar

(In CRIMINAL MISCELLANEOUS No. 31900 of 2021)

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

6 28-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.



Heard the learned counsel for the petitioners as well as Mr. Shailendra Kumar, the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Parihar P.S. Case No. 10 of 2020 registered for offence punishable under sections 379, 414/34 of the Indian Penal Code.

As per allegation, some miscreants were fleeing away with the tractor of the informant. On hue and cry, one of them was apprehended with the help of villagers and he disclosed his name as Sarfe Alam. The other accused persons became successful in fleeing away.

The learned counsel for the petitioners has submitted that there is nothing against the petitioners except confessional statement of co-accused. He has submitted further that petitioner Nayar Imam @ Netajee has been implicated in so many cases, but it is nothing but highhandedness of the police.

On the other hand, the learned APP, Sri Shailendra Kumar has submitted that petitioner Nayar Imam @ Netajee has a very strong criminal antecedents and petitioner Govind Sahani has two criminal antecedents as mentioned in paragraph 3 of the bail petition.

Considering the above-mentioned facts and



circumstances, **the prayer for anticipatory bail with respect to petitioner Nayar Imam @ Netajee and petitioner Govind Sahani is rejected.**

So far as **petitioner Laxmi Sah @ Lakshmi Sah is concerned, he is a person of clean antecedent, his prayer for anticipatory bail is allowed. Let him,** in the event of his arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi in connection with Parihar P.S. Case No. 10 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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