

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33743 of 2022

Arising Out of PS. Case No.-72 Year-2020 Thana- MAHINDWARA District- Sitamarhi

SHANKAR SAH Son of Ram Nandan Sah Resident of Village - Oli pur,
Ward no.02, P.s.- Mahindbara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-11-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner alongwith two other F.I.R. named co-accused, armed with weapons, assaulted the informant and co-accused Vinay Sah took out Rs. 25,000/- from the pocket of the informant.

It is submitted on behalf of petitioner that there is inordinate delay of four months in lodging the F.I.R. and there is no explanation for the delay. Allegation of assault is general and omnibus. There is case and counter case and both sides sustained injury. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.



Considering the delayed lodging of F.I.R., clean antecedent and general & omnibus allegation of assault, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Mahindwara P.S. Case No. 72 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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