

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38357 of 2022

Arising Out of PS. Case No.-358 Year-2021 Thana- MADHUBAN District- East Champaran

1. Dinesh Sahani Son Of Hiralal Sahani R/O Village- Pundra, P.S.- Madhuban, District- East Champaran
2. Awadhesh Kumar @ Awadhesh Sahani Son Of Hiralal Sahani R/O Village- Pundra, P.S.- Madhuban, District- East Champaran
3. Akhilesh Kumar Son Of Hiralal Sahani R/O Village- Pundra, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-11-2022 Learned counsel for the petitioners seeks permission to withdraw anticipatory bail petition with respect to petitioner Nos. 1 and 2.

Permission is granted.

The anticipatory bail petition for petitioner Nos. 1 and 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner No. 3 and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Sections 307, 506/34 and other allied sections of Indian Penal Code.

As per prosecution case, this petitioner along with other co-accused persons demanded Rangdari from the informant and when he denied to pay so, they snatched away



some cash and gold chain from the informant.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Moreover, there is general and omnibus allegation of assault against the petitioner and no specific overt act has been alleged against the petitioner. Present case is counter blast of Madhuban P. S. Case No. 357 of 2021. Petitioner has got clean antecedent.

Considering the nature of accusation and clean antecedent, let petitioner No. 3, Akhilesh Kumar, in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, 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 Chief Judicial Magistrate, Motihari, East Champaran in Madhuban P. S. Case No. 358 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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