

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49046 of 2021

Arising Out of PS. Case No.-221 Year-2019 Thana- RIGA District- Sitamarhi

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HARISHANKAR PRASAD CHAUDHARY S/o- YUGAL PRASAD
CHAUDHARY Resident of Village- Gorahi Vishanpur, P.S.- Sonbarsa,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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 Sections 341, 323 and 307/34
of the Indian Penal Code and section 27 of the Arms Act.

Allegedly, the FIR named accused persons intercepted
the informant and her brother in their way and tried to drag the
informant in their vehicle. It is alleged that the petitioner was



also present there and firing was also made by the co-accused Subh Narayan Mahto.

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. The specific allegation is against the co-accused Subh Narayan Mahto to fire upon the informant's brother. Only allegation, as per the FIR against the petitioner is that he was present at the place of occurrence. Petitioner has no criminal antecedent and several similarly situated co-accused persons have been enlarged on anticipatory bail by this court vide order dated 16.12.2021, passed in Cr. Misc. No.10159/2020.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused have been enlarged on 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 connection with Riga P.S. Case No.221/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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