

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41740 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- IMADPUR District- Bhojpur

1. DHANU PASI Son of Vikrama Pasi Resident of Village - Bihta, P.S.- Imadpur, District - Bhojpur at Ara, Pin code- 802209 (Bihar).
2. Manu Kumar @ Manu Pasi Son of Vikrama Pasi Resident of Village - Bihta, P.S.- Imadpur, District - Bhojpur at Ara, Pin code- 802209 (Bihar).
3. Vikrama Pasi Son of Late Sudarshan Pasi Resident of Village - Bihta, P.S.- Imadpur, District - Bhojpur at Ara, Pin code- 802209 (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is directed to remove
the defects within four weeks.

Learned counsel for the petitioners seeks permission to
withdraw this application as against the petitioner no.1 and 2, as
they have already surrendered before the learned Court below.

Permission is granted.

Accordingly, the instant application as against the
petitioner no.1 and 2 is dismissed as withdrawn.

Now, this application is being heard with respect to



petitioner no.3 only.

The petitioner no.3 apprehends his arrest in a case registered for the offence punishable under section 147, 148, 149, 337, 353, 332, 333, 307 of the IPC and section 27 of the Arms Act.

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 levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. There is no eye witness in the alleged occurrence. In the whole FIR it is not stated by the informant that who fired upon the police party and no fired palates were recovered from the spot. 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 there is general and omnibus allegation against the petitioner, let the above named petitioner no.3 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 Imadpur P.S. Case No.06 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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