

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41623 of 2022

Arising Out of PS. Case No.-25 Year-2022 Thana- CHACKMEHSI District- Samastipur

MANISH SAH S/o Ram Babu Sah R/o village- Kalaunjar, Ward No. 10, P.S.-
Chakmehsi, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354(B), 447, 504, 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation against him in the FIR is of assaulting by Phagaria causing injury on head and neck of the informant.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that date of occurrence is 11.01.2022 and the FIR came to be instituted after a delay of more than 30 days on



12.02.2022 without any plausible explanation, it is next submitted that if what has been alleged is true then definitely the injured would have been taken to the hospital and his fardbyan would have been recorded there but since the FIR is based on written application that amply demonstrates that no such occurrence as alleged took place.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that there is an inordinate delay in instituting the FIR, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chakmeshi P.S. Case No. 25 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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