

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45292 of 2022

Arising Out of PS. Case No.-360 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

BIKASH SAH @ VIKASH KUMAR Son of Late ASHok Sah Resident of
Village - Ganeshpur Tinpuliya, P.s. Jagdishpur Bypass, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-12-2022 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 three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 384, 385, 504, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he has assaulted the informant by means of leather belt.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the injury found upon the victim are



simple in nature. He further submits that the occurrence took place on 02.10.2021 but the F.I.R. lodged on 26.10.2021 after a delay of 24 days. He submits that there is no explanation of delay in filing of the present F.I.R. which creates serious doubt on the prosecution case. He further submits that petitioner have got nine criminal antecedents as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is delay of filing of F.I.R., let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Jagdishpur (Bypass) P.S. Case No.360 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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