

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62790 of 2021**

Arising Out of PS. Case No.-368 Year-2020 Thana- GOGRI District- Khagaria

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GOPAL SAH Son of Late Yogendra Sah Resident of Village - Rajandipur,
P .S. - Sabour, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner apprehends his arrest in connection with
Gogri P.S. Case no. 368 of 2020 registered under sections 420, 406,
323, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the FIR
which is based on complaint is lodged by son-in-law of the petitioner
and according to the prosecution story, the main allegation against
the petitioner is of not returning a motorcycle allegedly taken by the
petitioner from the possession of the informant on the ground of non-
availability of public transportation during COVID. Further
submission is that in the present case other co-accused persons have
been granted bail. Daughter of the petitioner had lodged a complaint



case bearing Complaint Case no.545/2012 against the informant and also filed maintenance case which are pending.

Learned APP opposes the prayer for anticipatory bail.

Considering the above submissions and disputed relationship between the petitioner and the informant which are merely due to petitioner's daughter being lodged maintenance case and criminal case for cruelty and the present petitioner is father-in-law of the informant and other co-accused have been granted bail, let the above named petitioner, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case no. 368 of 2020 subject to condition as laid down under section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which the matter shall be brought to the notice of this Court.

(Shailendra Singh, J)

s.hassan/-

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