

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7224 of 2023

Arising Out of PS. Case No.-160 Year-2022 Thana- PATEPUR District- Vaishali

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1. Ram Pravesh Sahni S/O Ram Vriksha Sahni Resident Of Village- Bahuara, P.S.- Patepur, District- Vaishali.
 2. Jitendra Mahto S/O Baleshwar Mahto Resident Of Village- Bahuara, P.S.- Patepur, District- Vaishali Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Gaurav Kumar, Advocate

For the Opposite Party : Mr.Arun Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-04-2023 After some arguments, learned counsel for the petitioners seeks permission to withdraw this anticipatory bail petition of petitioner no.1.

Permission is allowed.

The anticipatory bail petition of petitioner no.1 is dismissed as withdrawn.

Heard learned counsel for the petitioner no.2 and the State.

Petitioner no. 2 apprehends arrest in a case registered for the offence punishable under Sections 341/332/188/353/201 and other allied sections of the Indian Penal Code.

Prosecution's case, in short, is that this petitioner and other 40 to 50 other accused persons arrived with arms and tried to get released the persons who were in police custody and also damaged police vehicle.

Learned counsel appearing for the petitioner no.2 submits that petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. It is further submitted that there is delay



of two days in lodging of the FIR and there is no plausible explanation of delay which itself creates doubt over the prosecution case. Similarly situated co-accused have already been allowed bail by this Court vide order passed in Cr.Misc.No. 1674/2023. Petitioner no.2 has got no criminal antecedent.

Considering the nature of allegation against petitioner no.2, in the event of arrest/surrender within six weeks from today, let the petitioner no.2, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate 1st class, Vaishali at Hajipur in Patepur Police Station Case No. 160 of 2022, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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