

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9336 of 2023

Arising Out of PS. Case No.-477 Year-2022 Thana- JOGAPATTI District- West Champaran

SAHIL KUMAR @ SAHIL JAISWAL S/o Lal Babu Kumar Jaiswal @ Lal Babu Prasad @ Paltan R/o Village - Machhargawan, P.S. - Yogapatti, Distt. - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-06-2023 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, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent though inadvertently in the order impugned it has been recorded that petitioner has antecedent. It is further submitted that petitioner is alleged to have whistled seeing the women near the house of Shankar Paldar and when the informant forbade him from whistling, it is alleged that petitioner along with Lal Babu Prasad @ Paltan started to abuse him and Lal Babu Prasad gave repeated iron blow upon the head of the informant causing injury and the petitioner is alleged to have assaulted by lathi on forehead, back and shoulder of the



informant causing injury and even snatched his golden chain.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner is son of Lal Babu Prasad and it absolutely defies all logic and wisdom that in presence of the father, the petitioner would have whistled seeing the women. It is next submitted that even the injury on account of assault by the petitioner is simple in nature.

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, the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Yogapatti P.S. Case No. 477 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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