

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7782 of 2023

Arising Out of PS. Case No.-566 Year-2022 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Shambhu Sah Son Of Late Yogeshwar Sah R/O Sonbarsa Chowk, P.S.-
Mofussil, Samastipur - 848104, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 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 147, 148, 149, 341, 323, 332, 336, 337, 307, 353, 379 and 109 of the Indian Penal Code.

As per prosecution case, the informant along with police officials came at Adarshnagar to apprehend one accused, in the meantime, one local miscreant, Haldhar Kapar, united the local people and attacked upon police personnel and snatched Government AK 47 weapons and mobile phone and also injured constables.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the



petitioner is not specific rather general and omnibus in nature. The name of the petitioner was arrayed as an accused on the basis of statements of local people. He submits that there is no specific overt act against the petitioner. The petitioner is only member of the mob. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Samastipur Mofussil P.S. Case No. 566 of 2022 corresponding to GR No. 3696 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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