

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14984 of 2023

Arising Out of PS. Case No.-671 Year-2021 Thana- NATHNAGAR District- Bhagalpur

1. ETWARI SAH Son of Late Munni Sah Resident of village - Rasalpur Chouk, Ekchari Bazar, P.S.- Ekchari, District - Bhagalpur
2. Shashi Kumar Sah @ Shashi Kumar @ Shashi Bushan Kumar Son of Bhola Sah Resident of Dighi Simaripur, P.S.- Ishipur, Barahat, District - Bhagalpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner no. 1 submitting that during pendency of this application the petitioner no. 1 has already been apprehended by the police.

Permission is granted.

Accordingly, this application with regard to petitioner no. 1 is dismissed as withdrawn.

Now this application is being heard only with regard to petitioner no. 2.

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, 386, 387, 406/34 of the Indian Penal Code and Section 138 of the N.I. Act.

As per the prosecution case, allegation against the petitioners is that they have not returned the money of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that no extortion demand was made from the informant by the petitioner. He further submits that the petitioner has nothing to do with the other accused Vikas Sah and Arvind Sah. 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 business dispute between the parties, 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 Nath Nagar (Lalmatia) P.S. Case No. 671 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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