

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15150 of 2023**

Arising Out of PS. Case No.-52 Year-2021 Thana- GAUNAHA District- West Champaran

Sikandar Kumar Sahani @ Shikandar Sahani S/O Late Shiopujan @ Late
Shivpujan Faudar R/O- Bairatwa, P.S.- Gaunaha, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta

For the Opposite Party/s : Mr. Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 16-05-2023 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, 323, 324, 504, 307, 354, 354(B) and 379 of the Indian Penal Code.

As per the prosecution case, allegation against the petitioner is that he is the order giver.

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. He submits that there is case and counter case between the parties. He submits that there is no specific overt act against the petitioner. He further submits that the occurrence took place on



23.11.2020 and the informant/complainant lodged the FIR on 17.03.2021, after delay of 3 months and 28 days and there is no explanation regarding the delay, which creates serious doubt on the prosecution case. 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 injury was found simple in nature, 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 Gaunaha P.S. Case No. 52 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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