

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35979 of 2023**

Arising Out of PS. Case No.-87 Year-2022 Thana- HARLAKHI District- Madhubani

SHYAM SAHNI @ SHYAM Son of Pramod Sahni Resident of village -
Umgaon, P.S.- Harlakhi, District - Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mrs. Madhuri Lata

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

2 28-07-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323 and 353/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, about 15-20 females including 2-3 males entered into Indian from Nepal and loaded some articles on their head. When the police party showed up, all the persons tried to flee away from the spot, after throwing the articles from their head. The police party seized 24 box, each containing 10 kg Chinese apple. All the accused persons tried to stop the vehicle of Naka party and the petitioner laid in front of police vehicle on the road. It is alleged that the informant tried to pacify the matter but the accused persons attacked the police party with stones due to which few persons got injured.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He further submits that one apprehend person disclosed the name of the petitioner that the petitioner is also involved in the present case. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 10.01.2023 passed in Cr. Misc. No. 60729/2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes for prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Harlakhi P.S. Case No.87/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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