

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39413 of 2022**

Arising Out of PS. Case No.-255 Year-2020 Thana- GOPALPUR District- Bhagalpur

Arvind Sah Son Of Late Thakur Prasad Sah Resident Of Village -  
Pachgachiya, P.S.- Gopalpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shilpi Keshri, Advocate

For the Opposite Party/s : Mr.Pushpa Sinha.1, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      20-02-2023                      Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of three weeks from today.

Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case  
registered for the offences punishable u/s 147, 341, 323, 307,  
and 504 read with 379 of the Indian Penal Code.

As per the prosecution case, the petitioner and co-  
accused persons are alleged to have abused and assaulted the  
informant on his head causing head injury. When the informant's  
son came to rescue, he was also assaulted by other co-accused  
persons with *lathi* and *danda* causing injury on his back and



elbow of right hand. In the meantime, the co-accused Beauty Kumari snatched a golden chain from the neck of informant's son.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. The petitioner and informant are full brothers.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that charge sheet been submitted against the petitioner u/s 341, 323, 325, 504 and 506 read with 34 which are bailable and there is no apprehension of arrest.

Considering the aforesaid facts and circumstances of the case the instant anticipatory bail of the petitioner is not maintainable and the same is disposed of and the petitioner is directed to surrender to the Court below within six weeks from the date of this order and pray for regular bail and the Court below will consider the prayer of the bail of the petitioner on the same day without being prejudice by this order.

**(Chandra Prakash Singh, J)**

atul/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

