

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51819 of 2022

Arising Out of PS. Case No.-534 Year-2022 Thana- DANAPUR District- Patna

SAGAR KUMAR S/o Late Mahendra Rai Resident of Mohalla- Nasriganj
Kabristan Gali, P.O.- Danapur, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Danapur P.S. Case No.534 of 2022 instituted under
Sections 341, 323, 342, 307, 353/34 of the Indian Penal Code.

As per the FIR, the Executive Officer, Danapur, Nagar
Parishad alleged that in course of cleaning of the drainage
system near 'Sharma Nand Complex' its owner Vikash Kumar
along with some persons including the petitioner herein stopped
the said cleaning and when the Executive Officer reached there,
they tried to assault him too and dragged him inside the
complex. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that the
ownership of the complex belongs to Vikash Kumar who may
have any role to play in the matter and was in any case arrested,



the petitioner is a resident of Nasriganj, Danapur and had nothing to do with the present case and he being just a passerby/onlooker to the said dispute and has been dragged in this case. The last submission is that he do not have criminal antecedent.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the Vikash Kumar is the main culprit who has since been arrested, the petitioner do not have any criminal antecedent and he will be available to the police as and when required in course of investigation, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Danapur P.S. Case No.534 of 2022 to the satisfaction of learned A.C.J.M., Danapur, Patna, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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