

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63878 of 2023

Arising Out of PS. Case No.-120 Year-2023 Thana- DESARI District- Vaishali

NEWALAL SAH son of Late Basu Sah @ Babu Sah Village- Bhikhanpura
Ps- Desari Chandpura OP Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 354, 379, 467, 468, 420, 471, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, on 25.03.2023 at about 9:00 pm, this petitioner along with other accused persons tried to strangle the informant and when wife of the informant came to rescue him, co-accused Dheeraj Kumar and Niraj Kumar pushed the wife of the informant on the ground and co-accused Urmila Devi snatched golden chain worth Rs. 50,000 from her neck.

4. It is submitted on behalf of the petitioner that on account of land dispute between the parties, this false and concocted case has been lodged against the petitioner. Though



there is allegation that this petitioner tried to strangle the informant but doctor has not found any external injury or any sign of injury. It is further submitted that as per F.I.R. the alleged occurrence took place on 25.03.2023 whereas, F.I.R. was lodged on 07.04.2023, after inordinate delay of 13 days and there is no explanation for the same.

5. Learned A.P.P. for the State vehemently opposes the bail application.

6. Considering the nature of accusation and delay in lodging the F.I.R., this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari (Chandpura O.P.) P. S. Case No. 120 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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