

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63306 of 2022

Arising Out of PS. Case No.-243 Year-2021 Thana- PAKRIDAYAL District- East Champaran

Umashankar Sahani Son Of Rambahadur Sahani R/O Vill.- Bhagwanpur, P.S.-
Pakaridayal, Distt.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-03-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in Pakridyal P.S. Case No. 243 of 2021 registered for the offences punishable under Sections 302, 120B, and 307/34 of the Indian Penal Code pending in the Court of learned Court of C.J.M., East Champaran, Motihari.

Allegations against the petitioner is that he along with other co-accused persons, under criminal conspiracy, have committed murder of the son of the informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He submits that the during the course of investigation in confessional statement the co-accused disclosed the name of this petitioner.



This fact has also been clear from para-50 of the case diary. He further submits that there is no criminal antecedent against the petitioner as mentioned in para 3 of this application.

Learned APP for the State opposes the bail petition submitted that specific overt act has been attributed against the petitioner. Hence, the petitioner does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Pakridyal P.S. Case No. 243 of 2021.

The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

