

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72227 of 2022

Arising Out of PS. Case No.-99 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

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Krishna Sahani Son Of Munilal Sahani R/V- Badharwa, P.S.- Motihari
Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 342, 323, 325, 307, 354(A), 379 and 34 of the Indian Penal Code.

As per the prosecution case, allegation against the petitioner is that when the informant was going to his house, in the meantime, the petitioner and other accused persons surrounded him and tied him with litchi tree and assaulted him by means of lathi danda.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that after investigation final form was laid before



the learned court below showing the petitioner “Not Sent Up” for trial but the learned court below, differing with the police report, has taken cognizance against the petitioner. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dumariyaghat P.S. Case No. 99 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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