

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1320 of 2023

Arising Out of PS. Case No.-159 Year-2019 Thana- BAHERI District- Darbhanga

Sunil Sahu @ Suneel Sahu Son Of Ganga Sahu R/O Village- Gaiwal, P.S.-
Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in Baheri P.S.
Case No. 159 of 2019 registered for the offences punishable
under Sections 341, 323, 342, 325, 307, 504, 379, 506 and 34 of
the Indian Penal Code pending in the Court of learned A.C.J.M.
IX, Darbhanga.

Allegation against the petitioner is that, he along
with other co-accused persons entered into house of the
informant and started abusing and assaulted the informant's
side, and also looted Rs. 10,000/-. The petitioner hit on the head
of the informant with iron rod.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to ulterior



motive. He submits that there is case and counter case between the parties. 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 vehemently opposing the bail petition submits that specific overt act has been attributed against the petitioner of assaulting the informant by iron rod. Hence, the petitioner does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that there is specific overt act against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail on connection with Baheri P.S. Case No. 159 of 2019.

The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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