

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5192 of 2023

Arising Out of PS. Case No.-595 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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Vijay Patel @ Vijay Kumar Patel Son Of Lal Babu Raut R/O
Village/Mohalla- Near Chitragupt Mandir, Thakurbadi, P.S.- Motihari
(TOWN), District- East Champaran At Rpresent R/O Mohalla- Jamla Road,
P.S.- Town Motihari, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar
	:	Mr. Rana Pratap Singh
For the Opposite Party/s	:	Mr. Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 447, 341, 323, 384, 379, 504, 506 and 307/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, all the named accused persons including the petitioner in further of common intention have assaulted the husband of the informant and this petitioner with an intention to commit murder open fired upon the husband of the informant. It is further alleged that the accused persons have demanded extortion from the informant and threatened to kill him.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that there is case and counter case between the parties. He submits that the occurrence took place on 30.07.2022 and the FIR lodged on 20.08.2022, there is delay of 21 days in filing of the present FIR and there is no any explanation of it which creates serious doubt about the prosecution case. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is delay of 21 days in filing of the present FIR, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Town (Motihari) P.S. Case No.595/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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