

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.1911 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- PHENHARA District- East Champaran

RAMADHAR SINGH S/O LATE RAM LAKHAN SINGH Resident of
village- Kalu Pakar, P.S.- Fenhara, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Alka Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 17-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Fenhara P.S. Case No. 98 of 2022 registered for the offences punishable under Sections 147, 341, 323, 307, 448, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons including the petitioner herein variously armed, having arrived at the house of the informant, whereafter they had engaged in loot and had also assaulted the informant and his family members.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case.



The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, there is no allegation of him having engaged in any sort of specific overtact qua the informant and his family members. It is also submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed for the purposes of grant of anticipatory bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties as also considering the fact that the petitioner has not been alleged to have assaulted either the informant or his family members, though I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, however, subject to certain conditions.

Accordingly, the petitioner, above named,



is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Fenhara P.S. Case No. 98 of 2022, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is needless to state that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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