

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1526 of 2023

Arising Out of PS. Case No.-125 Year-2002 Thana- SIMRI District- Darbhanga

Ram Dayal Sah S/O Late Chalitra Sah R/O Village- Kanshi Manihans,, P.S.-
Simri, Distt- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Karn
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

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 a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

As per prosecution case, it is alleged that when the informant along his brother, as soon as they reached at the chowk where Vijay Kant and other FIR named accused persons were present. On the order of Vijay Kant Thakur, Nathuni Sahni inflicted chura blow upon the brother of the informant.

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. There is admitted land dispute between the parties. Both sides



have filed cases against each other. He further submits that summons has been issued against the petitioner and other accused persons under Section 319 of the Cr.P.C. after lapse of 20 years of lodging of the FIR. Similarly situated co-accused, have been enlarged on bail by a co-ordinate bench of this court vide order dated 20.02.2023 passed in Cr. Misc. No. 72955 of 2022. Petitioner has no criminal antecedent 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 Simri P.S. Case No. 125 of 2002, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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