

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79036 of 2023

Arising Out of PS. Case No.-282 Year-2023 Thana- CHAKIA District- East Champaran

UMASHANKAR SAHANI Son of Adalat Sahani R/o vill - Baishaha, P.S. -
Chakiya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302 and 120B of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

3. As per the prosecution case, there is allegation against the petitioner that he along with other co-accused person has assaulted the deceased by means of knife and also shoot from fire arm.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the seized motorcycle and mobile phone do not belong to the petitioner. He submits that there is no eye witness in the present case only on suspicion the



petitioner has been made accused in this case. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

5. Per contra, learned APP for the State vehemently opposing the bail application and submits that the allegation levelled as the petitioner is serious in nature. Hence, he does not deserve anticipatory bail.

6. Considering the nature of the offence, I am not inclined to enlarge the petitioner on bail in connection with Chakia P.S. Case No. 282 of 2023. Accordingly, his prayer for anticipatory bail is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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