

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4729 of 2024

Arising Out of PS. Case No.-737 Year-2023 Thana- SAHARSA SADAR District- Saharsa

BITTU KUMAR @ BITTU KUMAR SONI SON OF MANOJ PRASAD @
MANOJ SONI RESIDENT OF VILLAGE - BANGAHA, SARAHU ROAD,
P.S. - SAHARSA SADAR, DISTRICT - SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 17-02-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Saharsa Sadar Police Station Case No. 737 of 2023, dated 17.10.2023, disclosing offences under Sections 341/323/384/504/506 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on 07.10.2023, while the informant was returning home after collecting sale proceed, he was intercepted by the petitioner. The petitioner put a pistol on the chest of the informant and snatched his golden chain weighing 35 gms worth Rs. 2,50,000/-.



4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case as a counter blast to First Information Report, bearing Saharsa Sadar Police Station Case No. 736 of 2023, lodged by the petitioner against the informant on 17.10.2023. Learned counsel further submits from perusal of the First Information Report it would be evident that occurrence has taken place on 07.10.2023 and after lapse of 10 days First Information Report has been lodged by the informant as a counter blast to the First Information Report lodged by the petitioner on 17.10.2023. He next submits that both the petitioner and the informant are good friends who are engaged in business and subsequently they have entered into a compromise.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are engaged in business, there is delay of 10 days in lodging of First Information Report by the informant as a counter blast to the First Information Report lodged by the petitioner on 17.10.2023 and subsequently both the parties have entered into a compromise, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail 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, Saharsa, in connection with Saharsa Sadar Police Station Case No. 737 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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