

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10282 of 2024

Arising Out of PS. Case No.-236 Year-2023 Thana- SIDHWALIYA District- Gopalganj

Saurav Sah @ Sourav Sah @ Sourav Kumar son of Manoj Gupta Village-
Khajuria Ps- Sidhwaliya Dist-gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-02-2024 At the outset, Mr. Saurabh Kumar, learned Counsel for the petitioner submits that the petitioner is 21 years old as has been incorporated in the FIR itself but has wrongly typed in the petition as 17 years and as such, he may be permitted to make necessary correction in course of the day.

2. Permission accorded.

3. Heard learned Counsel for the petitioner and learned APP for the State.

4. The petitioner apprehends his arrest in connection with Sidhwaliya P.S. Case No. 236 of 2023 for the offence registered under sections 341, 323, 324, 307, 504, 506, 447 and 34 of the Indian Penal Code lodged on 23.07.2023 by the informant, Shivdayal Pandit.

5. As per the prosecution story, the informant alleged



that when he was at his house, the accused persons came and started assaulting, the reason for assault was that some work was done by the informant's son and he went to their house to ask for wages. Infuriated, the came and assaulted the informant's side. Accordingly, the FIR.

6. Learned Counsel for the petitioner submits that he is a young student, preparing for general examination and due to politics, his name has been roped in the FIR, he do not have criminal antecedent.

7. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

8. Taking into account the fact that he is a young student, do not have criminal antecedent, FIR lodged, ultimately he will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Gopalganj in connection with Sidhwaliya P.S. Case No. 236 of 2023 subject to condition as laid down under Section 438(2) of



the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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