

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23337 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- PIPRAHI District- Sheohar

Sumit Kumar Son of Tarachand Sah Resident of Village- Mesauda, P.S.-
Piprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 20748 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- PIPRAHI District- Sheohar

Tarachand Sah S/O- Ramaashisha Sah R/O- Village- Mesauda, P.S.- Piprahi,
Dist.- Sheohar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 23337 of 2024)
For the Petitioner/s : Mr. Bipin Kumar
For the Opposite Party/s : Mr. Gauri Shankar Gupta
(In CRIMINAL MISCELLANEOUS No. 20748 of 2024)
For the Petitioner/s : Mr. Bipin Kumar
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-03-2024 **Cr. Misc. No. 20748 of 2024**

1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The learned counsel for the petitioner after some arguments realizing his difficulty seeks permission to withdraw the anticipatory bail application of the petitioner.
3. Permission is accorded.



4. The anticipatory bail application of the petitioner is dismissed as withdrawn.

Cr. Misc. No.23337/2024

1. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 224, 225, 325, 307, 353, 504 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and has been falsely implicated in the instant case by the informant merely because he is son of Tarachand Sah. It is next submitted that informant alleges that the police force had gone to arrest Tarachand but his family members including the petitioner started creating ruckus and taking advantage of the same, Tarachand assaulted one police man, causing grievous injury on his waist. It is further submitted that no doubt the petitioner was also an accused in the case in which the informant along with police force had come to arrest Tarachand but then the police had submitted final form with respect to the petitioner, exonerating him of the allegation in Piprahi P.S. Case No.263/2023. It is next submitted that the petitioner will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Piprahi P.S. Case No.267/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation or is not presenting himself as and when required in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reason.

(Satyavrat Verma, J)

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