

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23528 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- DAWATH District- Rohtas

Subhash Singh @ Joka Singh @ Joka, aged about 32 years (Male), Son of
Kunj Bihari Singh, Resident of Vill.-Patkhauri, P.S.-Dawath, Distt.-Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Surendra Prasad Singh, Advocate

For the Opposite Party : Mr. Anil Kumar Singh No. 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dawath P.S. Case No. 189 of 2023 dated 07.10.2023 registered for the offences punishable under Sections 341, 323, 385, 386 and 379/34 of the I.P.C.

3. As per the prosecution case, the petitioner alongwith 6-7 unknown persons is alleged to have taken out about 506 quintals fish by setting net from the pond of the informant. On protest, they abused and assaulted him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely



implicated in this case. It is submitted that the occurrence took place on 03.10.2023 as to when the F.I.R. has been lodged on 07.10.2023 after a delay of four days for which no explanation has been given by the prosecution. It is further submitted that there is no substantive evidence to suggest the implication of the petitioner in the present case. No case is made out under Sections 385 and 386 of the I.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Bikramganj, Rohtas, in connection with Dawath P.S. Case No. 189 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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