

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28681 of 2024

Arising Out of PS. Case No.-447 Year-2021 Thana- JOKIHAT District- Araria

Sanwar @ Manwar @ Manowar son of Md. Ijhar @ Izhar Village- Chirah Ps-
Mahalgaon Jokihat Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naushaduzzoha

For the Opposite Party/s : Mr. Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Jokihat P.S. Case no. 447 of 2021 instituted for the offence punishable under Sections 147, 149, 341, 342, 323, 302, 120B of the Indian Penal Code.

3. As per allegation in the FIR, several accused persons including the petitioner forcibly dragged away the informant's son on the pretext of his appearance in Panchayat. When the informant chased them, she saw that her son was being beaten up by the accused persons and later on she heard the news of her son's death.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. No specific allegation is attributed to this petitioner



for committing murder of the informant’s son. It is further submitted by learned counsel that trial court has acquitted some of the similarly situated accused persons, order is annexed as Annexure-2 to this petition. He has got no criminal history. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 10.11.2022 passed in Cr. Misc. No. 22066 of 2022.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Jokihat P.S. Case no. 447 of 2021, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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