

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37035 of 2024

Arising Out of PS. Case No.-642 Year-2020 Thana- CHANPATIA District- West Champaran

Seraj Khan Son of Kalam Khan @ Kalam Kho Resident of Village- Puraina,
Gosain ,P.S- Chanpatiya District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2024 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 offences punishable under Sections 341, 323,
324, 307, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant. It is next
submitted that date of occurrence is 8-9-2020 and the FIR came
to be instituted on 17-12-2020, i.e., after a delay of three months
and 10 days, without any plausible explanation, which casts an
aspersion on the case of the prosecution. It is further submitted
that from perusal of the allegation as alleged in the FIR, it
would manifest that the informant also alleges that on 8-9-2020,



he had sent a representation to Hon'ble the Chief Minister about the occurrence in which by mistake, he had typed some names wrongly. It is further submitted that this amply demonstrates that the informant by way of after thought instituted the instant FIR implicating the petitioner.

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 and the fact that FIR has been instituted after a delay of more than three months, the petitioner above-named, in the event of his arrest or surrender before the learned trial court 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 Chanpatiya P.S. Case No. 642 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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