

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50947 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- PIPRAHI District- Sheohar

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Amod Sah @ Amod Kumar Sah, Son of Rajkumar Sah, Resident of Village -
Minapur Balha, Post - Minapur Balha, P.S.- Piprahi, District - Sheohar, Bihar,
Pin Code – 843329 Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prashant Prakash, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Piprahi P.S. Case No. 256 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379 and 504/34 of the Indian Penal Code. He has got two criminal antecedents and in both the cases, he is on bail.

3. As per the prosecution story, the allegation against the petitioner is that he along with other accused persons had assaulted the informant by lathi, danda, iron rod and farsa with an intention to kill.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no allegation of any overt act against the petitioner. It is further submitted that similarly situated co-accused have already been granted bail by this Court in Cr. Misc. No. 35210 of 2024.

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

6. Having regard to the submissions that this petitioner has not committed any overt act and the persons similarly situated to the petitioner have been granted privilege of pre-arrest bail by this Court in Cr. Misc. No. 35210 of 2024, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Piprahi P.S Case No. 256 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Sheohar, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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