

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63213 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- ISHAKCHAK District- Bhagalpur

Suraj Kumar Sah @ Suraj Kr. Sah @ Suraj Sah Son of RAm Bihari Sah R/o
Gandhi Seva Sadan B. Tola, Ishakchak, P.S.- Ishakchak, District- Bhagalpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-10-2024 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 342, 323, 307, 379, 326, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, it is alleged that co-accused Deepak Sah has fired upon the informant. The petitioner is said to have assaulted the informant by means of bricks.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that there is specific allegation against co-accused



Deepak Sah. He next submits the allegation against the petitioner is that he along with co-accused Sahil Kumar Sah have assaulted the informant by means of bricks but his injury report does not support the factum of prosecution case as the informant has sustained altogether four injuries, which are lacerated wound caused by firearms. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no allegation of firing against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ishakchak P.S. Case No. 104 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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