

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76059 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- Raghunathpur District- East Champaran

Anil Sah S/O Mithai Lal Sah Resident of Village - Brita Raghunathpur, P.S. -
Raghunathpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Raghunathpur P.S. Case No. 77 of 2024, registered for the alleged offences under Sections 191(2), 190, 132, 121(1), 121(2), 109 and 224 of the *Bharatiya Nyaya Sanhita*, 2023.

03. As per prosecution case, when the police intervened between the two warring groups who had entered into scuffle and fighting, petitioners and other co-accused persons started assaulting the police party, causing injuries to them.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner was not apprehended from the spot and his name transpired in this case on saying of co-accused persons who were apprehended from the spot. The petitioner has been arrested in this case merely on suspicion. The petitioner is in custody since 02.08.2024. The petitioner is having antecedent of two cases and he is on bail in both the cases.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner and others attacked the police party, causing a grievous injury to the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, East Champaran, Motihari in connection with Raghunathpur P.S. Case No. 77 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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