

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81639 of 2023

Arising Out of PS. Case No.-538 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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GORAKH SAHNI @ GORELAL @ GORELAL SAHNI S/O KAPILDEO
SAHNI R/o Vill - Chukti, P.S. - Mansi, Dist - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bhaglu Sah S/o Jhaksu Sah R/o Vill - Chukti, P.S. - Mansi, Dist - Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Adv.
For the Opposite Party/s : Mr.Ajit Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 15-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 538C/2022 dated
28.07.2022 registered for the offences punishable u/s 328 read
with section 34 of the Indian Penal Code.

3. As per the prosecution case, the Complainant is a
driver of E-rikshaw and he was waiting for passenger at Mansi
Chowk, in the meantime, the petitioner and the co-accused
Gopal Sah came and got his E-rikshaw reserved and reached
Bakhri Bus Stand at Khagaria where Bittu Sahni was present
since earlier. Thereafter, all the accused persons told the



Complainant to go to Munger upon which he proceeded for Munger and when he reached near Rahimpur, he became unconscious because earlier he was taken lunch with the accused persons. It is further alleged that all the accused persons took Rs. 30,000/- in cash and one Samsung mobile of the Complainant and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 04.06.2022 but the Complaint Case was lodged on 04.07.2022 after lapse of one month and there is no explanation for this delay. Learned counsel has further submitted that Complainant has not been examined by any doctor and no any medical report has been produced by the Complainant in support of his case. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Khagaria in connection with Complainant Case No. 538C/2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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