

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78824 of 2023

Arising Out of PS. Case No.-351 Year-2022 Thana- KONCH District- Gaya

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Satya Prakash Son Of Surya Vansh Sharma R/O Village- Belsar, P.S.-
Mehandia, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

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

ORAL ORDER

2 22-01-2024 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Konch P.S. Case No. 351 of 2022 dated

30.07.2022 registered for the offences punishable under

Sections 420, 427 and 435 of the Indian Penal Code.

4. As per the prosecution case, the informant claimed

that a pharmacist-cum-storekeeper at Community Health

Centre, Konch was found guilty of burning medicine in doubt.

Accordingly, the FIR was lodged against him.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is a delay of 21 days in lodging the FIR from the date of alleged occurrence. Learned counsel has submitted that there is absolutely no eye witness of the case and the whole case is based on the concocted statement of the informant.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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, Gaya in connection with Konch P.S. Case No. 351 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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