

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2783 of 2024

Arising Out of PS. Case No.-508 Year-2023 Thana- ALAMGANJ District- Patna

Lalit Bhushan @ Sanni son of Ashok Kumar Singh Resident of house no 51b
Biscoman Colony p.s. Alamganj District patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Alamganj P.S. Case No. 508 of 2023, registered for the alleged offence under Sections 341, 323, 324, 307, 379, 385, 504, 506, 34 of the Indian Penal Code.

03. As per prosecution case, the petitioner dragged away the informant and along with three co-accused persons assaulted him demanding Rs. 50,000/- as extortion. When the informant showed his inability to make the payment, the petitioner stabbed him at a number of places and also broke his teeth and snatched a gold chain from the informant. They threw the informant on the side of road thinking him to be dead.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The true fact of the case is that the informant along with some other persons tried to kill the co-accused Ankur Sinha and fired upon him. A crowd gathered and they caught hold of the informant of the instant case, Pankaj Kumar and he was handed over to the police by the general public. In order to create a defence, the instant F.I.R. has been lodged after much delay. The occurrence is stated to be of 06.04.2023, for which, Alamganj P.S. Case No. 307 of 2023 was lodged by co-accused Ankur Sinha and for the same occurrence, the informant Pankaj Kumar lodged this case on 08.06.2023, though the fardbeyan is stated to be of 15.04.2023. Thus, the learned counsel submits that it is out and out false case and other co-accused persons have been granted anticipatory bail by the learned court below. The petitioner is having criminal antecedent of one case, i.e., Alamganj P.S. Case No. 453 of 2022, in which stay from arrest has been granted to the petitioner.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the counter version of the petitioner's side and further considering



the possibility of false implication, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City/concerned court in connection with Alamganj P.S. Case No. 508 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other 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, if so required by the learned trial court.

(Arun Kumar Jha, J)

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