

Arising Out of PS. Case No.-69 Year-2012 Thana- CHAUTHAM District- Khagaria

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s	:	Mr. Vivekanand Singh, Adv.
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP
For the Informant	:	Mr. Mrityunjay Kumar, Adv.
		Mr. Amar Anand, Adv.

2 30-04-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 504, 452, 379, 325, 307 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent and thus submitted final form exonerating the petitioner of the allegations as alleged in the F.I.R., the final form was accepted by the learned trial court, thereafter charges were framed against the other accused persons and trial



commenced when an application under section 319 Cr.P.C. came to be filed from the side of the prosecution based on which the petitioner was summoned by the learned trial court for facing trial, as such, the petitioner apprehends his arrest. The learned counsel for the petitioner next submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent whether it would be prudent for this Court to send the petitioner to jail at this stage when petitioner will co-operate in the trial to prove his innocence.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner and the learned counsel appearing on behalf of the informant submits that petitioner has antecedent of three cases, on which, the learned counsel appearing on behalf of the petitioner submits that the said fact has been pleaded at para-3 of the anticipatory bail application and it has been specifically pleaded that petitioner has been acquitted in all the cases and out of three cases, two cases were filed from the side of the informant only. It is further submitted that since the petitioner is a police personnel as such informant and her side always tried to implicate the petitioner. It is also



submitted that even the civil cases are pending between the parties.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sessions Trial No. 320/2013, arising out of Chautham P.S. Case No.69/2012, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that if the learned trial court comes to a conclusion that petitioner after being released on anticipatory bail is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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