

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23981 of 2016**

Arising Out of PS.Case No. -23 Year- 2014 Thana -BAJPATTI District- SITAMARHI

=====

1. Birendra Rai @ Birendra Kumar Son of Rambilash Rai, resident of  
Village- Basaha, P.S.- Bajpatti, District- Sitamarhi

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Singh(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      30-05-2016

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 384, 379 of the Indian Penal Code.

The informant being project manager in Brahmputra Construction company submitted a written report to the effect that on 03.02.2014 at about 8:30 A.M when the construction was going on panchayat Sarpanch Mukesh Rai, co-accused Narayan Chaudhary and fifteen unknown came and assaulted one tractor driver with lathi. It is specifically alleged that co-accused Ram Bilash Rai assaulted with farsa on the head of one of the drivers of the tractor. The accused persons also took out batteries of the tractors. It is also alleged that earlier also panchayat Sarpanch Mukesh Rai demanded extortion of rupees twenty lacs from the informant.

It is submitted by learned counsel for the

petitioner that on conclusion of the investigation the petitioner was not sent up for trial whereas others were charge-sheeted but differing with the final form, cognizance has been taken.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the accusation being omnibus and general against the petitioner, petitioner being not sent up for trial and having no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Pupri at Sitamarhi in connection with Bajpatti P.S. Case No. 23 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|