

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44251 of 2015

Arising Out of PS.Case No. -163 Year- 2015 Thana -ATHMALGOLA District- PATNA

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Rajeev Kumar son of Ram Naresh Singh, resident of village- Milkichak,
P.S. Athmalgola, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Arun Kumar

For the Opposite Party : Mr. Iftexhar Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 04-02-2016 Heard learned counsel for the petitioner, counsel for the
informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Athmalgola P.S. Case No. 163 of 2015 for the offences
instituted under Sections 341, 354(A), 323, 379 and 506/34 of the
Indian Penal Code.

As per prosecution case that the informant's daughter
was returning to home after ease then in the way the petitioner
misbehave with his daughter. On *halla* the informant and his wife
went and made a protest then the father of the petitioner and other
persons started to assault them and also snatched golden chain
amount to Rs.45,000/- and even threatened by using abusive
language.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. Prior to

the institution of the present case vide Annexure-2 , the father of the informant had instituted a case in which the informant was sent to jail. The present case is in retaliation to Annexure-2. Though in the FIR, it has been stated that the petitioner is an accused for an offence under Section 302 of the IPC. Vide order dated 22.12.2015, the Court had directed the counsel for the informant to bring on record the FIR registered under Section 302 of the IPC in which the petitioner is an accused but the counsel for the informant has failed to do so.

On behalf of the State and counsel for the informant, it has been submitted that the petitioner is named in the FIR and has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Athmalgola P.S. Case No. 163 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Barh, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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