

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51506 of 2016

Arising Out of PS.Case No. -54 Year- 2016 Thana -DEORIYA District- MUZAFFARPUR

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Satyendra Rai, Son of Ganesh Rai, resident of Village - Dharphari, Police
Station - Deoriya in the district of Muzaffarpur. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Sushant Kumar, Advocate

For the Opposite Party : Mr. Sri Satyendra Narayan Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and also learned counsel for the State.

The petitioner apprehends his arrest in connection
with Deoriya P.S. Case No. 54 of 2016, registered for the offences
punishable under Sections 341, 342, 323, 379, 307, 385, 504/34 of
the Indian Penal Code.

Allegedly, for demanding ransom of Rs. 5 lacks, co-
accused Sachita Rai and Sanjit Rai caught hold the informant and
the petitioner, started assaulting with knife causing serious injury
to him near the chest.

Submission is of false implication and that in the
private hospital the fardbeyan was recorded of the informant
Shivji Rai on 15.06.2016 but his case has been registered earlier
whereas Subhas Rai who had received serious injuries and was
admitted in S.K.M.C.H., Hospital, Muzaffarpur, his fardbeyan was
recorded on 10.06.2016 itself but his F.I.R. was lodged belatedly



and it was numbered as Deoriya P.S. Case no. 55 of 2016 as the informant side is influential person and after considering all these facts five accused persons have been allowed pre-arrest bail by another co-ordinate Bench of this Court vide Cr. Misc. No. 39155 of 2016.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that Shivji Rai the informant of this case has received grievous injury whereas Subhash Rai has received simple injury.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner that he assaulted with knife on the vital part of the body and, as such, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Deoriya P.S. Case No. 54 of 2016, pending in the Court of Sri Aditya Kumar Singh, learned Judicial Magistrate, 1st Class, Muzaffarpur.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferably on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J.)

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