

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33963 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -KATRAHA District- VAISHALI(HAJIPUR)

=====

Raj Kapoor @ Karpoori Sah son of Julum Sah, resident of Village- Patepur,
P.S.- Kartaha, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

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

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-08-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Kartaha P.S. Case No. 08 of 2016 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 324, 308, 504
and 506 of the Indian Penal Code.

The prosecution case, in brief, is that on
15.01.2016, the informant had scuffle with co-accused Ranjeet
Sahani. Thereafter, the matter was pacified but again at 8-9 P.M.
all the FIR named accused persons variously armed surrounded
the informant and on the order of accused Ranjeet Sahani, other
accused persons started assaulting the informant and when his
brother Lablu Sahani and cousin Nandu came to rescue, they were

also assaulted due to which Lablu Sahani sustained head injury and Suraj and Nandu also received injuries. On alarm being raised, when the villages came, all the accused persons escaped from the scene.

It has been submitted by the learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in the aforesaid case. He submits that the allegation is general and omnibus and the present First Information Report is counter blast to the earlier case lodged by the petitioner's side, bearing Kartaha P.S. Case No. 06 of 2016 and that both sides have received injuries. He submits that both sides are inimical to each other and that petitioner has no criminal antecedent, as is evident from paragraph 3 of this application.

However, learned A.P.P. for the State submits that petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since petitioner's side has lodged the First Information Report prior to the present First Information Report, let the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like

amount each to the satisfaction of the learned Additional Chief
Judicial Magistrate-Vth, Vaishali at Hajipur in connection with
Kartaha P.S. Case No. 08 of 2016, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--