

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51964 of 2017

Arising Out of PS.Case No. -131 Year- 2017 Thana -RAJAULI District- NAWADA

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Rupesh Kumar, S/o Ramvilash Prasad, Resident of Village- Dhamuchak,
P.S.- Rajauli, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 09-11-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Rajauli P.S. Case No. 131 of 2017 for the offences punishable under sections 341, 323, 324, 326 and 307/34 of the I.P.C.

Allegedly, the petitioner and other FIR named accused persons started breaking the newly constructed wall of the informant and when the informant forbade them co-accused Ratan Prasad assaulted Sitaram Prasad with sword on his head and further Shambhu Prasad assaulted Shashi Bhushan Azad with khanti causing fracture of three teeth.

Submission is of false implication and that there is



case and counter case, against the petitioner there is no specific allegation for assaulting any one, the injuries found on the person of Sitaram Prasad and Shashi Bhushan Azad are simple in nature, vide Annexure-3, and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, considering that against the petitioner there is no specific allegation for assaulting any one and as such the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M, Nawada in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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