

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62030 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -AKILPUR District- PATNA

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Chhotu Rai, Son of Late Punkal Rai, resident of Village Manas 42 Patti,
Police Station Akilpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Prasad Bhartee

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 22-12-2017

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 324, 325 and 307/34 of the Indian Penal Code.

The prosecution, as per the informant Ravindra Rai, is to the effect that on 04.05.2017 at 9.30 hours the informant saw his son Pintu Kumar and nephew Vishnu Kumar working in the field, in the meantime, the informant's agnate co-accused Krishna Rai armed with Farsa in his hand, petitioner Chhotu Rai, co-accused Ram Vishnu Rai and Praduman Rai armed with lathi and co-accused Dipak Rai armed



with iron rod reached in his field. It is further alleged that co-accused Krishna Rai asked the informant to leave the land, which he has purchased from his mother Sonamati Devi. It is further alleged that on protest being made Krishna Rai assaulted with Farsa causing injury to the informant, whereas Dipak Rai assaulted with iron rod on the shoulder of the informant causing fracture injury and when the son and nephew came to rescue, they were also assaulted.

It is submitted by learned counsel for the petitioner that in the background of land dispute the accusation has been levelled. Specific accusation of assault has been levelled against co-accused Krishna Rai and Dipak Rai. The petitioner is agnate of the informant. A statement has been made in paragraph 3 of the petition that the petitioner is accused in one other case in which he is on bail.

Learned APP submits that the petitioner was accomplice of the assailants.

Considering the fact that the specific accusation of assault has not been levelled against the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail



bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Danapur, Patna in connection with Akilpur P.S. Case No. 18 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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