

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50812 of 2017

Arising Out of PS.Case No. -256 Year- 2015 Thana -ATHMALGOLA District- PATNA

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Ram Prit Rai @ Ram Prit Prasad Son of Alakhdeo Rai, R/o Village- Ram
Nagar Diara, P.S.- Athmalgola, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Sri Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 11-12-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Athmalgola Police Station Case No. 256 of 2015,
disclosing offences under Sections 341, 323, 307, 504, 379 and
34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that
the petitioner, who is said to be of clean antecedent, is innocent
and has not committed any offence. As a matter of fact, the
occurrence is said to have taken place on 20.11.2015 whereas
the instant F.I.R. has been lodged on 24.11.2015 after lapse of
four days without explaining the plausible delay, which itself
creates doubt over the prosecution version. Moreover, although



there is allegation of firmarm injury on the chest of the informant but no injury is available on record to support the allegation leveled against the petitioner in the F.I.R. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola Police Station Case No. 256 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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