

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63202 of 2018

Arising Out of PS. Case No.-107 Year-2018 Thana- MADHAURAH District- Saran

=====

Janki Prasad Son of Shio Dhari Prasad Resident of Village- Hathisar, P.S.
Gaura, O.P. (Marhourah), District- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Marhourah (Gaura O.P.) P.S. Case No. 107 of 2018
registered under Sections 147, 148, 149, 323, 325, 307, 337,
338, 353, 332, 333, 427 and 447 of the Indian Penal Code.

As per the prosecution case, the informant who
happens to be Police Officer had gone to the place of occurrence
to resolve the land dispute between Sheo Shankar Prasad and
Janki Prasad. He stopped the construction work being carried
out by Janki Prasad, whereupon Janki Prasad and Dhruv
Narayan Singh along with 125 unknown miscreants attacked at
O.P. Gaura and pelted stones and blocked the road inflicting



injuries to the informant.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As a matter of fact, the police apprehending the petitioner from his house a day preceding to the alleged occurrence brutally assaulted him at the instance of his gotiyas, regarding which, the petitioner has lodged a case against the informant and in order to save his skin from the said case, the informant has lodged this false and frivolous case against the petitioner and others. The injury sustained by the informant is simple in nature. Similarly situated co-accused persons have been enlarged on anticipatory bail by different Benches of this Court.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Saran at Chapra in connection with Marhourah (Gaura O.P.) P.S. Case No. 107 of 2018, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

rohit/-

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

