

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2530 of 2018

Arising Out of PS.Case No. -172 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Raja Kumar S/o Uma Ray , R/o Village- Dhobauli, Paharpur Tola, P.S.-
Muffasil, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s Mr. Ravindra Kumar @ Ravindra Kr Rai, Advocate

For the Opposite Party/s : Mr. Nand Kishore Pd, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Muffasil P.S. Begusarai Case No. 172 of 2015 registered for offences punishable under Sections 147, 148, 341, 325, 307, 385 and 427 of the Indian Penal Code.

The prosecution case as lodged on 13.05.2015 at about 12.00 to 1.00 P.M., is that when he was busy in constructing his new house in his village- Dhabauli, one Rajesh Kumar, working as a watchman of orchard of mango, informed the informant on his mobile to come immediately in mango orchard and when the informant went there, 5-6 accused persons including the petitioner armed with iron rod surrounded, abused and assaulted and thereafter accused persons, namely, Santosh



Kumar (Kari) and Ram Kumar assaulted on his head with iron rod due to which, he fell down. The occurrence is of 13. 5.2015 and F.I.R. was registered on 20.05.2015.

Learned counsel for the petitioner submits that the allegations made in F.I.R. is totally fabricated and false and there is no allegation against the petitioner of any overt act or assault made by the petitioner. It has further been submitted that the informant and the petitioner are of same village and the informant wants to grab the passage and when it was protested by villagers, he and others have been made accused in this case. It is also submitted that the petitioner has no criminal antecedent.

Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Muffasil P.S.Case Begusarai Case No. 172 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the condition laid down under Section 438 (2) of the Criminal Procedure Code.

(S. Kumar, J)

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