

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64376 of 2018

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Rajdeo Sah @ Rajdev Sah, Son of Late Anandi Sah, Resident of Village-
Kapraul Siroman, Police Station-Riga. District-Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pushpendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 148, 149, 447, 341,
323, 307, 379, 504 and 506 of the IPC.

The prosecution story, in brief, is that on 17.11.2017
at about 7.00A.M. F.I.R. named accused persons came at the door
of informant, abused him and told to withdraw his earlier case. He
protested, on which, petitioner Rajdeo Sah gave *Iron rod* blow on
his head due to which, he sustained head injury. Co-accused
Vikash Kumar wrapped towel around his neck and tried to tight it.
Co- accused Raj Kumar snatched gold chain worth Rs. 50,000/-
from his neck. Co- accused Ashok Sah pushed him down and



assaulted with leg and shoes and also snatched his mobile from his pocket. When his brother Vijay Kumar came to rescue, co-accused Ganga Kumar gave *Iron rod* blow on his head due to which he sustained head injury. Shatrughan Gupta also came to rescue him Co-accused Tinku Kumar wrapped rope around his neck and tightened it. On hulla, nearby persons came there and saved him.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is case and counter case between the parties. Both parties are agnates. Injury on the side of accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sitamarhi, in



connection with Riga P.S. Case No. 329/17, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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