

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73679 of 2018

Arising Out of PS. Case No.-67 Year-2018 Thana- RAGHOPUR District- Vaishali

Narayan Rai, Son of Rajdeo Rai, Resident of Village- Jagdishpur, P.S. Raghapur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Sri Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 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, 149, 323, 324, 325, 307, 354, 379, 327, 504 and 506 of the Indian Penal Code.

The prosecution case is that on 22.07.2018 at 11.00 A.M. the informant was constructing hutment on his land, in the meantime, the accused persons came variously armed, when this petitioner assaulted twice on the head of the informant with sword, when the wife, son, brother and brother's wife came to rescue, they were also assaulted. It is specifically alleged that Upendra Rai and Anandi Rai tore the sari and blouse of the wife of the informant and attempted to outrag her modesty. It is



specifically alleged against Tilak Rai that he assaulted the wife of the informant with the butt of the pistol and Chandravijay Rai, Shekhar Rai, Ramjinish Rai tore the sari and blouse of Mahapati Devi and Ashok Rai assaulted with butt of rifle causing fracture injury on the leg of Mahapati Devi. Mukesh Rai and Rakesh Rai assaulted the son of the informant, Shivan Rai with lathi and iron rod. Jagdeo Rai and Tufani Rai entered into the house of the informant and took away twenty five thousand rupees and jewellery worth of Rs.75,000/- from the box of the wife of the informant and Titan Rai snatched a gold locket from the son of the informant.

It is submitted by learned counsel for the petitioner that admittedly in the background of land dispute, the accusation has been levelled. The injury report reflects only one lacerated injury superficial in nature. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioner to have made assault with sword twice on the head of the informant.

Considering the fact that the accusation is not being corroborated with medical opinion, coupled with the statement



made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 67 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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

