

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62282 of 2018

Arising Out of PS.Case No. -228 Year- 2018 Thana -MADHAURAH District- SARAN

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Shailendra Rai, S/o Late Jaynath Rai, R/o Vill.- Takina, P.S.- Marhowrah,
District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate.
For the State : Mr. Uday Chand Prasad, A.P.P.
For the Informant : Mr. Ramakant Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 325 and 307/34 of
the IPC.

The prosecution story, in brief, is that the informant's
grand-mother died on 09.05.2018 for which *Sharadh Ceremony*
was going to be performed by family members of the informant.
The marriage of daughter of Hotilal, who is agnate of the
informant, was fixed to be performed on 12.05.2018. So, the
informant's agnate came and asked to get performed marriage of
his daughter and stopped *Sharadh Ceremony*. The informant told
him to perform his daughter's marriage and also asked to allow



him to perform *Sharadh Ceremony* of his grand-mother. On 24.05.2018, the informant and his family members were sleeping in his house, in the meantime, accused persons including petitioner came and petitioner assaulted the father of the informant with Iron rod causing injury on his forehead. On crying, Rinku Devi came from the house then petitioner also assaulted her with rod causing injury on her neck and oozing blood. When the informant, Vinod Rai and his relative Nirmal Rai came to pacify the matter then petitioner also assaulted them causing injury. Injured were admitted in hospital.

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. The alleged occurrence has taken place due to petty reason. All injuries are simple except for one. Both parties are agnates.

On behalf of the State and informant, 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 A.C.J.M.-VIIIth, Saran at Chapra, in connection with Marhowrah P.S. Case No. 228 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

