

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69261 of 2018

Arising Out of PS. Case No.-179 Year-2014 Thana- CHHATAPUR
District- Supaul

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ANIL KUMAR RAJAK @ ANIL RAJAK @ ANIL KUMAR son of Hari
Nandan Rajak, resident of Village- Parsa Birbal, P.O.- Surjapur,
P.S.- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 19-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Chhatapur P.S. Case No. 179 of

2014 dated 14.07.2014 which was initially instituted for the

offences under Sections 147, 307, 379, 341, 447, 393,

349, 504 of the Indian Penal Code but later with the death

of the deceased, Section 302 I.P.C was also added.

The informant, who is the deceased has alleged

that when he forbade his brother from dumping garbage in

his land, all the accused persons including the petitioner

assaulted him. It has specifically been alleged that on the



order of this petitioner, one Bechan Rajak assaulted the informant on his head leading to injuries which ultimately led to the death of the informant.

The learned counsel for the petitioner has submitted that all other accused persons except Bechan Rajak have been granted anticipatory and regular bail by different Benches of this Court. It has further been submitted that when the deceased was first treated, the doctor found only one lacerated wound of a diameter of $1 \frac{1}{2}$ x $\frac{1}{4}$ x $\frac{1}{8}$ on his scalp.

Considering the fact that the occurrence took place in a flash of temper, without any premeditation and the petitioner is only stated to be the order giver, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, II, Supaul in connection with Chhatapur P.S. Case No. 179 of 2014, subject to the



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

While saying so, this Court has also taken note of the fact that petitioner does not have any criminal antecedents.

(Ashutosh Kumar, J)

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