

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10817 of 2019

Arising Out of PS. Case No.-102 Year-2017 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Upendra Rai Son of Ramchandra Ray village- Bangari, Mahammadpur suba,
P.S.- Kanti, (Panapur O.P.),Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Sections 147, 148, 149, 341, 342, 323, 307, 379, 427, 504 of the Indian Penal Code.

The prosecution case, in brief, is that one Bipin Kumar Singh had come in the house of the informant and as soon as he came near the door of Kira Rai, all the accused persons having weapons in their hand, came there and inflicted blows upon Bipin Rai.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the 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 Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Sub Divisional Judicial Magistrate, West, Muzaffarpur in connection with Kanti (Panapur O.P.) P.S. Case No. 102 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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