

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8714 of 2019

Arising Out of PS. Case No.-225 Year-2018 Thana- TARAIIYA District- Saran

Raj Kishore Rai, Son of Shyam Lal Rai, Resident of Village-Bagahi Harakhpur, P.S-Taraiya, Distt.-Saran(Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Taraiya P.S. Case No.225 of 2018, registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code and later on, Section 302 of the Indian Penal Code has also been added.

Allegation has been made that the accused persons, named in the FIR, armed with different weapons, came at poultry farm of the informant and starting abusing, whereupon the brother of the informant Chandan Kumar protested and said that the dispute can be resolved by conciliation proceeding whereupon Kashi Nath Rai assaulted on the head of the Chandan Kumar causing injury and he fell down on the ground.



Thereafter, they have also assaulted his elder uncle by different weapons.

Learned counsel for the petitioner submits that he is not named in the FIR. His name has transpired during course of the investigation. Their sons may be involved in that incident but there is no mentioning about this petitioner in any way connected with the same. During investigation, different agnates have been implicated including the petitioner. He further submits that in similarly situated co-accused, namely, Kanhaiya Rai has already been granted bail by a coordinate Bench of this Court vide order dated 16.01.2019 passed in Cr. Misc. No. 79772 of 2018.

Looking to the entire facts and circumstances of the case, let the petitioner, above-named, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate – IX, Chapra, District - Saran, in connection with Taraiya P.S. Case No.225 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with a further



condition that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

V.K.Pandey/
S. Katyayan

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