

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14983 of 2019

Arising Out of PS. Case No.-84 Year-2018 Thana- JAMOBABAZAR District- Siwan

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Rabindra Prasad @ Ravindra Prasad, S/o- Late Chandeshwar Prasad,
Resident of Jagarnathpur, P.S.- Jamo Bazar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 380, 427, 504 and 506 of the Indian Penal Code.

The prosecution case as per the written report of Ayodhya Singh, submitted to the S.H.O., Jamo Bazar P.S. is to the effect that 25 FIR named accused persons including the petitioner, came variously armed and started assaulting the informant. When the wife, elder brother and son and daughter of the elder brother of the informant came to rescue, they were also



assaulted by all the accused persons, causing them serious injuries. It is further alleged that co-accused, Madan Prasad and Nagendra Prasad took away a box containing Rs.25,000/- and some documents from the house of the informant, and also caused loss of Rs.23,000/- by damaging various household articles.

It is submitted by learned counsel for the petitioner that in the background of land dispute, the accusation has been levelled against the petitioner and for the occurrence of 31.05.2018 at about 07.30 A.M., the FIR has been registered on 01.06.2018 at 08.10 A.M. It is further submitted that there is a counter version of occurrence being, Jamo Bazar P.S. Case No.85 of 2018 lodged by the petitioner's side against the informant side. Moreover, the injuries caused to the informant's side have been found simple in nature caused by hard and blunt substance and there is no injury report by the informant's side has been brought on record. It is also submitted that similarly situated co-accused, Laxmi Prasad has been granted anticipatory bail by Co-ordinate Bench of this Court, vide order dated 15.02.2019 passed in Cr. Misc. No.9055 of 2019.

It is submitted by learned APP for the State that the accusation of assault is specific against the petitioner.



Considering the fact that the accusation is omnibus and general in nature, the injury not being corroborated by any medical opinion, coupled with the fact that the similarly situated co-accused has been granted bail by Co-ordinate Bench of this Court, 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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **A.C.J.M.-13, Siwan** in connection with **Jama Bazar P.S. Case No. 84 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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