

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28439 of 2019

Arising Out of PS. Case No.-153 Year-2017 Thana- RIVILGANJ District- Saran

MANISH PRASAD S/o Birendra Prasad @ Mukhiya R/o village- Rivilganj,
Ward No. 10, P.S.- Rivilganj, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 01-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Rivilganj P.S. Case No. 153 of 2017, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 427, 504, 34 of the Indian Penal Code.

On refusal by the brother of the informant to accord betel on credit to accused Birendra Prasad, Birendra Prasad along with other named accused persons including the petitioner armed with weapons descended at his house. Birendra Prasad assaulted on the head of his brother by means of Farsa. When informant rushed in his rescue co-accused Manish Kumar assaulted on his head by means of rod inflicting head injury to



him. Other co-accused assaulted him by means of lathi and leg. Birendra Prasad also snatched his golden chain.

It is submitted by the learned counsel for the petitioner that petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case merely because he happens to be son of Birendra Prasad. Petitioner is said to have assaulted the informant by means of rod inflicting head injury to him but doctor found lacerated wound on the head of the informant suggested C.T. Scan but even after lapse of long span of time of two years no injury report of the victim has been brought on record and in the case diary. There is no repetition of blow at the hands of the petitioner. He has no criminal antecedent.

On the other hand, learned A.P.P. for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned



Additional Chief Judicial Magistrate- 1st class, Saran at Chapra
in connection with Rivilganj P.S. Case No.153 of 2017, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Prakash Chandra Jaiswal, J)

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