

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47084 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- GORAUL District- Vaishali

Rahul Kumar, aged about 27 years (M), Son of Dinesh Rai Resident of Village - Sondho Basudev, P.S.- Goraul, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is apprehending his arrest in connection with Goraul P.S. Case No. 138 of 2019 registered for offences under sections 341, 323, 307, 504, 506, 353, 171(F), 350, 379, 511/34 of the Indian Penal Code and Section 132 of the R.P.Act.

The Informant is a Constable in the Bihar Police whereas the petitioner is a Constable in the C.R.P.F. posted at Jammu and Kashmir.

The petitioner had come to his house on leave. As per allegation, being a voter, the petitioner had gone at the polling booth to cast his vote. In the meantime, as per allegation, the petitioner identifying himself as Sub-Inspector of C.R.P.F.,



assaulted the Informant with Bala.

Learned counsel for the petitioner submits that there was no occasion for the petitioner to assault the Informant as he had gone to cast his vote and he has wrongly been implicated in the present case.

Looking to the entire facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur in connection with Goraul P.S. Case No. 138 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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