

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51211 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- PATEPUR District- Vaishali

Raju Kumar Rai @ Raju Kumar @ Raju (male), aged about 22 years, Son of
Ram Naresh Rai, Resident of Village- Bakar, P.S.- Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshul, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Patepur P.S. Case No. 46 of 2019 registered under sections
341, 323, 324, 307, 332, 353/34 of the IPC.

The allegation against the petitioner is that the two
groups were fighting against themselves and when the police
party arrived at the place of occurrence, members of the one of
the group fled away, however, the second group person
assaulted the police constable by way of lathi causing him injury
and fled away. It has further been alleged that co-villager
disclosed the name of the petitioner as one of the persons who
assaulted the member of the police party.

Mr. Ansul, learned counsel appearing for the



petitioner submits that the petitioner has falsely been implicated in this case due to village politics inasmuch as the petitioner is also a member of the police force and is a constable posted in Ara. Learned counsel referring to Annexure-2 submits that ASI under whom the petitioner was working at the relevant point of time issued a letter to the Superintendent of Police, Vaishali dated 02.03.2019 categorically stated therein that on the date of occurrence the petitioner was performing law and order duty along with ASI and others. Learned counsel further submits that the injury caused to the victim has been found to be simple in nature.

After having heard learned counsel for the parties and taking into consideration the fact that the name of the petitioner has been disclosed by the co-villagers and further ASI has given the certificate stating that the petitioner was working along with him at Ara performing law and order duty on the date of occurrence, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond



of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali in connection with Patepur P.S. Case No. 46 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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