

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57008 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- PIPRAKOTHI District- East Champaran

Rakesh Kumar, Son of Mohan Rai, Resident of Village - Kishunpur, P.S.-
Piprakothe, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Piprakothe P.S. Case No.69 of 2019 for allegedly having committed the offence under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the present petitioner is named in the F.I.R., but though there is an allegation against him of having attacked the informant with an iron rod, the injury report which is there in the case diary does not indicate the same to be by an iron rod or hard and blunt substance, rather the same has been found to be a stab wound which does not match the narration as made out



in the F.I.R. Learned counsel for the petitioner thus submits that the entire allegation against the present present is false and concocted and the informant is in the habit of implicating the petitioner as he had done so earlier in another case in which the petitioner is having antecedents as stated in paragraph 3 of the bail petition. Learned counsel for the petitioner thus submits that in any view of the matter, the medical report not matching with the recital in the F.I.R., there is a distinct cloud on the prosecution story and the petitioner may be extended the privilege of anticipatory bail.

Having considered the entire facts and circumstances of the case and save and except one other case against the petitioner and also in view of the medical report, which is indicated in case diary as had been called for earlier, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial Magistrate, East Champaran, in connection with Piprakothhi P.S. Case No.69 of 2019, subject to the conditions as laid



down under Section 438(2) of the Code of Criminal
Procedure.

(Anjana Mishra, J)

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