

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79530 of 2018

Arising Out of PS. Case No.-395 Year-2018 Thana- MADHAURAH District- Saran

Daroga Rai, S/o Late Kishuni Rai, R/vill-Shahbajpur, P.S-Marhaura, Distt.-
Saran at Chapra.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Yugal Kishore, Advocate.

For the Opposite Party : Mr. Braj Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 147, 148, 149, 323, 324, 325, 307 and 506 of the IPC.

The prosecution story, in brief, is that on 14.08.2018 around 2.30 PM. when the informant was sitting at his door, the petitioner and co-accused Nagendra Rai, Main Rai, Baliram Rai alias Tuntu Rai and Sonalal Rai came hurling abuses and on protest they started assaulting him with *Lathi, Danda, Farsa* and *knife*. In the meantime, other accused also started assaulting him during when the petitioner caused injury with *Farsa* on his head. To save him, when Jitendra Rai and Bishuni Rai came, co-accused Sonalal Rai caused injury on the head of Jitendra Rai.



Main Rai and Baliram Rai alias Tuntu Rai assaulted Bishuni Rai, Baharan Rai and Sheo Parsan Rai with *Lathi, Farsa* and knife causing injury on the head and Panjari of Sheo Parsan Rai and on right hands of Baharan Rai and Bishuni Rai.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is case and counter case between the parties. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VIII, Saran at Chapra, in connection with Marhaura P.S. Case No. 395 of 2018, subject to the conditions as laid down under



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

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

