

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1175 of 2020

Arising Out of PS. Case No.-287 Year-2018 Thana- SAHPUR District- Patna

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Pawan Rai, Son of Ramchela Ray, Resident of Village - Khaspur, P.S.-
Shahpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 504, 379, 448 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Pushpa Devi submitted to Station House Officer of Shahpur Police Station is to the effect that petitioner and the other co-accused persons used to use filthy language in intoxicated condition and on 24.09.2018, the petitioner and his son parked a boat on the road behind the house through which the informant's family used to go to the toilet and when the informant made protest, all the accused persons threatened the informant and his



family members. On 26.09.2018 at 7.30 P.M., the petitioner and other co-accused parked the boat behind informant's house and resorted to fire and the petitioner and his son snatched a gold chain and earrings of the informant.

It is submitted by learned counsel for the petitioner that the accusation has been levelled in the background of dispute with regard to parking of boat and there is a counter version of the occurrence being Shahpur P.S. Case No. 288 of 2018 registered for the offences punishable under Sections 341, 323, 504, 379/34 of the Indian Penal Code and Section 27 of the Arms Act. It is further submitted that the no injury has been caused to anyone and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation is specific against the petitioner.

Considering the fact that the FIR does not reflect that any injury has been caused to anyone and there being a counter version of the occurrence also, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender



before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Danapur, District - Patna in connection with Shahpur P.S. Case No. 287 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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