

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7114 of 2020

Arising Out of PS. Case No.-198 Year-2019 Thana- PHULWARIYA District- Gopalganj

RAJENDRA PRASAD CHAUHAN Son of Dhukhi Mahto Resident of
Village - Sangrampur Gopal, P.S.- Phulwariya, Distt.- Gopalganj.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh. Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 30-06-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner apprehends arrest in Phulwariya PS Case No. 198 of 2019 registered under Sections 147, 148, 149, 341, 323, 324, 302 and 504 of the IPC.

The allegation in the FIR is of assault by eight accused persons. The petitioner's name has thereafter been taken as coming to the place of occurrence along with other ten to fifteen accused persons and abusing the prosecution party.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He has no criminal antecedent. The implication is on account of political rivalry. Co-



accused, against whom there is allegation of participating in the assault namely Binod Choudhary and Manoj Choudhary, have been allowed anticipatory bail in Cr. Misc. No. 1727 of 2020. Similarly situated co-accused Dilip Yadav has been allowed anticipatory bail in Cr. Misc. No. 130 of 2020. Only one injury was found on the person of the deceased. Petitioner's name has been taken in the second part of the FIR after assault.

Learned APP for the State has opposed the prayer for anticipatory bail.

Having considered the rival submissions this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

Accordingly, let the petitioner above named, in the event of arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM XIII, Gopalganj in Phulwariya PS Case No. 198 of 2019 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code as also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

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

