

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8010 of 2020**

Arising Out of PS. Case No.-3 Year-2019 Thana- WAJIRGANJ District- Gaya

RAKESH KUMAR Son of Lallan Paswan Resident of Village - Aru, P.S.-
Wazirganj, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 18-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Dr. Ajeet Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Wazirganj P.S. Case No. 03 of 2019 for the offence registered under Sections 147, 148, 149, 341, 323, 307, 354 and 379 of the Indian Penal Code.

The case of the prosecution in brief is that the informant Ranjay Paswan was standing near his house at about 6:00 a.m. in the morning on 05.01.2019 when the accused Rakesh Paswan and seven other accused persons started abusing him



and upon protest being made by the informant, they had assaulted him. It is further alleged that in the meantime wife of the informant had arrived there to save him but she was also assaulted and the petitioner is alleged to have hit her by farsa.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that a bare perusal of the injury report would show that the injuries are simple in nature. Lastly, it is submitted that the petitioner has been falsely implicated in the present case on account of previous land dispute in between the parties.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the materials available in the case dairy apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four



weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Gaya in connection with Wazirganj P.S. Case No. 03 of 2019 of subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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