

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9203 of 2020

Arising Out of PS. Case No.-592 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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DHEERAJ KUMAR Son of Rakesh Rai @ Munna Resident of Kharaj
Hakimabad, Police Station - Samastipur Muffasil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sanjay Kumar No 7
For the Opposite Party/s :	Mr.Raj Ballabh Singh
	Mrs. Anita Kumari Singh, APP
For the Informant :	Mr. Mrs. Sadhna Suman, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-06-2020 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, Ms. Shadhna Suman, the learned counsel for the informant and Mrs. Anita Kumari Singh, the learned APP for the State.

The petitioner apprehends his arrest in connection with Samastipur (Muffasil) P.S. Case No. 592 of 2019 for the offence punishable under Sections 341, 342, 323, 308, 427, 504 and 34 of the Indian Penal Code.

The accusation against the petitioner and the other accused persons is of arriving at the door of the house of



the informant and assaulting him with fists and slaps. It is further alleged that the matter was pecified with the intervention of the co-villager, however, subsequently, when the informant was returning to his house after treatment, all the accused persons had again brutally assaulted him and snatched his motorcycle. As far as the petitioner is concerned, he is alleged to have assaulted the informant with rod.

The learned counsel for the petitioner has submitted that the petitioner is innocent, is having a clean antecedent and has been falsely implicated in the present case. It is further submitted that the present case arises out of case and counter case, the case filed by the petitioner herein being the fist case in time and the petitioner is also stated to have been grievously injured. It is further submitted that the injury report of the informant would show that no serious injuries have been sustained by him.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the present case arises out of a case and counter case and the petitioner is stated to have been grievously injured and is having a clean antecedent, I deem it fit and proper to admit the



petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Samastipur (Muffasil) P.S. Case No. 592 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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