

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14813 of 2020

Arising Out of PS. Case No.-232 Year-2019 Thana- BIHTA District- Patna

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RAJESH PRASAD @ RAJESH KUMAR Son of Bhagwan Das Resident of
Village - Tara Nagar, P.S. - Bihta, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Prasad Singh
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 147, 148, 149, 323, 307, 504 & 506 of the Indian Penal Code.

While the father of the informant was at his house, five named accused persons including the petitioner came there and are said to have started abusing his father and also assaulted him. Co-accused Rakesh Kumar assaulted his father with lathi due to which he sustained injury on his head. After hearing hue and cry, several persons came there thereafter the accused persons made their good escape.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to land dispute. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The specific allegation of assault is not against the petitioner. There is case and counter case between the parties. Earlier to the case under hand, the informant along with other family members attacked on the house of the petitioner and assaulted the family members of the petitioner in which several persons got injury and Bihta P.S. Case No.218 of 2019 was lodged against them. He has no criminal antecedent. Similarly situated co-accused, namely, Bhagwan Das and others and Rakesh Kumar have been enlarged on bail by different co-ordinate bench of this court vide order dated 18.10.2019 and 09.12.2019 passed in Cr. Misc. Nos. 62676 of 2019 and 78382 of 2019 respectively.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned



A.C.J.M.-I, Danapur, Patna in connection with Bihta P.S. Case
No. 232 of 2019, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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