

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15820 of 2020**

Arising Out of PS. Case No.-241 Year-2018 Thana- HATHAURI District- Muzaffarpur

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VIJAY RAI @ VIJAY YADAV Son of Late Mahendra Ray Resident of  
Village - Berai, P.S.- Hathauri, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      31-08-2020                      Due to COVID-19 Pandemic, the matter is being  
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For  
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 147, 148, 149, 447, 323 and 302 of the  
Indian Penal Code.

The prosecution case, in short, is that the accused  
persons came to the house of the informant and assaulted the  
brother of the informant due to which he sustained injuries and  
succumbed to the injuries. The family members came in rescue  
were also assaulted by the accused persons.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Altogether four persons are alleged to have assaulted the deceased including the petitioner but from perusal of the post-mortem report, it appears that there are only two injuries on the body of the deceased. General and omnibus allegation has been made against the petitioner. No specific injury is attributed against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub-Judge-10-cum- A.C.J.M., Muzaffarpur in connection with Hathauri P.S. Case No. 241 of 2018 (G.R. No. 7098 of 2018), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

Pankaj/-

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