

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15702 of 2020

Arising Out of PS. Case No.-87 Year-2019 Thana- DIGHA District- Patna

VIJENDRA RAI @ VIJENDRA KUMAR RAI @ VIJENDRA KUMAR,
aged about 39 years, Gender-M, S/o Late Ramji Rai, R/o village- Nakta
Diara, P.S.- Digha, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vijay Kumar Sinha, Advocate.
For the Opposite Party : Mr.Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2020 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
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 341, 323, 504, 379, 307
and 385/34 of the I.P.C.

The prosecution story, in brief, is that the petitioner
and others assaulted the informant’s nephew Chandan Kumar
and his Munsif with Iron rod due to which, they sustained
fracture injury at their hands.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. From perusal of the order of the learned Sessions Judge, Patna, it appears that there is no injury report available on the record to support the allegation made in the F.I.R. In absence of the injury report, Section 307 of the IPC is not made out.

On behalf of the learned counsel for the State, it has been 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 six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned S.D.J.M. Patna, in connection with Digha P.S. Case No. 87 of 2019, G.R. No. 1119 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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)

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