

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79757 of 2019**

Arising Out of PS. Case No.-89 Year-2019 Thana- GOPALPUR District- Gopalganj

RAKESH CHAUHAN Son of Babulal Nonia @ Babulal Chauhan Resident of
Village - Barhara (Badahar), P.S.- Gopalpur, Distt - Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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

3 17-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

This is an application for grant of anticipatory bail in connection with Gopalpur P.S. Case No. 89 of 2019, registered for the offence punishable under Sections 341, 323, 324, 307, 379, 435 and 504/34 of the Indian Penal Code.

The allegation is regarding the accused persons having had an altercation with the informant whereupon the petitioner and the other accused persons are stated to have assaulted the informant resulting in various injuries being inflicted upon the informant.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that a bare perusal of the injury report would show that the injury,



which is attributable to the petitioner, is injury no. 1 and the same has been stated to be simple in nature by the Doctor. It is further submitted that the parties are agnates and the present case arises out of case and counter case.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the injury inflicted upon the informant, which is attributable to the petitioner herein, has been found simple in nature by the Doctor, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XI, Gopalganj in connection with Gopalpur P.S. Case No. 89 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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