

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33096 of 2020

Arising Out of PS. Case No.-180 Year-2019 Thana- MADHUBAN District- East Champaran

LAXMAN RAI, (M), aged about 30years, S/o Ramchandra Rai, Resident of
Village-Bishunpur Diwajit, P.S.-Madhuban, District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks.

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, 324, 307, 379,
504 and 506/34 of the I.P.C.

The prosecution story, in brief, is that on 09.08.2019
at about 6.30 P.M., F.I.R. named accused persons armed with
weapons came at the door of the informant and started abusing
and attacked on her. Co-accused Shiv Shankar Ram ordered to
kill her husband then Laxman Rai (petitioner) assaulted with
Farsa on her husband but which hit on the head of the informant



and blood started oozing. When the *Jaut* of the informant, namely, Ramesh Kumar, came to rescue then the accused persons put *Gamchha* around his neck and dragged him. Accused persons also snatched golden chain and nose fool and some accused entered into her house and taken away Rs. 12,000/- from the *Sanduk (Box)*.

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. There is case and counter case between the parties. Free fight is said to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

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

Considering the aforesaid facts and circumstances of the case, 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the



learned A.C.J.M.-IV, Motihari, East Champaran, in connection with Madhuban P.S. Case No. 180/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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