

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33440 of 2020

Arising Out of PS. Case No.-138 Year-2020 Thana- MALSALAMI District- Patna

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Baliram Rai @ Bali Rai @ Balram Ray Son of Late Babulal Rai, Resident of
Village - Rikabganj, Ganga Mandir, P.S.- Malsalami, Distt.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. A.M.P. Mehta, A.P.P

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 10-03-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office

vide its notes dated 07.12.2020, within four weeks of starting of

Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Malsalami P.S. Case no. 138 of 2020, registered under
Sections 341, 323, 354, 504, 506, 427 and 379/34 of the Indian
Penal Code.

The accusation is that in the early evening of
17.05.2020, the informant Sumitra Devi was sitting at her door,
at that time, Baliram Rai (Petitioner) and three others named in
the F.I.R. came there having lathi-danda in their hands and



started to abuse and caused assault through fist and slaps and snatched her Jitiya (Gold ornament). At that time, Baliram Rai (Petitioner), with bad intention, torn her *Blouse*, whereas Sunil Kumar snatched mobile from the hand of Rohit Kumar.

Learned counsel for the petitioner submits that, in fact, the petitioner is running brick-kilns and tractor loaded with bricks used to pass through PCC road, where informant and another used to reside encroaching the public land and when protest was made to clear the PCC road, then informant lodged the present case with false allegation only to put undue pressure. The petitioner has no criminal antecedent.

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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Patna City in connection with Malsalami P.S. Case No. 138 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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