

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33401 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- JANDAHA District- Vaishali

Rahul Chaudhary @ Rahul Kumar, Son of Sri Dilip Chaudhary, Resident of
Village - Chandsarai Bishunpatti @ Cfhansarai, P.S.- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mithlesh Kumar Kher, APP

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

ORAL ORDER

2 12-03-2021 As prayed for, let the learned counsel appearing for

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

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Jandaha P.S. Case No. 35 of 2020, registered under

Sections 341, 323, 353, 504 and 307/34 of the Indian Penal

Code read with Section 38/45 of the Bihar Excise Act.

The accusation is that in course of patrolling duty,

five persons were seen in the way taking liquor, on two

motorcycles, in the middle of the road then informant, Santosh



Kumar Jha, asked him to clear the road, on which, they started to abuse him. Thereafter, on the order of Rahul Chaudhary (petitioner), all started to caused assault to him, in which, he sustained injury. At that time, Chintu Chaudhary caused injury through pointed material causing injury at his left eye.

Learned counsel for the petitioner submits that while petitioner is named in the FIR but no specific overt act has been attributed against him. In fact, there is specific allegation against co-accused, Chintu Chaudhary, to cause injury at the left eye of the informant but due to dirty village politics, local Choukidar implicated the petitioner in the present case with false allegation. Moreover, the injury, as found on the left eye of the informant, is simple in nature. Further submission is that 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 six 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 the learned Additional Sessions Judge-II-Cum-Excise Court, Vaishali at Hajipur, in connection with Jandaha P.S. Case No. 35 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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