

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39298 of 2020

Arising Out of PS. Case No.-163 Year-2020 Thana- KARAHGAR District- Rohtas

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Surya Bansh Rai, aged about 57 years, male, son of Ram Sagar Rai, Resident
of Vill.- Rupaitha, P.S.- Karghar, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-12-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Karghar P.S. Case No. 163 of
2020, dated 24.06.2020, instituted for the offences under
Sections 147, 148, 149, 341, 323, 379 and 427 of the
Indian Penal Code and Section 27 of the Arms Act.

The petitioner is said to have assaulted one of the
victims on her head by means of a hard and blunt substance



and also alleged to have dashed her on the ground. The injury on her head is stated to be simple in nature. She has but received one grievous injury of the nature of a hair-line fracture in hand which could have been possible because of her having been thrown to the ground by the petitioner.

However, for grant of of anticipatory bail, it has been submitted that from the background facts, namely, a counter case in which the female members from the side of the petitioner also have been injured and that all the other persons of this case as well as the counter case have been granted anticipatory bail, the petitioner also deserves to be granted the same privilege.

Looking at the nature of accusation in the F.I.R., it appears that there was some dispute between the neighbours and as a result of which, in the fight which ensued, persons from both the sides received injuries. It is quite fortuitous that one of the injuries on the person of the victim is in the nature of hair-line fracture in hand.

The learned counsel for the petitioner has submitted that the offence under Section 307 of the I.P.C.



was not pressed in the beginning, but later, a requisition was filed for adding the aforesaid section but till date, no order has been passed for adding Section 307 of the I.P.C. in the case.

Regard being had to the facts afore-stated, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of three weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below/Court concerned in connection with Karghar P.S. Case No. 163 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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