

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40872 of 2020

Arising Out of PS. Case No.-240 Year-2020 Thana- SAHPUR District- Patna

RAJESH SAO @ RAJESH SAW S/O RAM BHARAT SAO Resident Of
Village - Sinkandarpur, Chandmari ,P.S. - Sahpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-11-2021 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Shahpur P.S. Case No.240/2020, registered for the offence punishable under Sections 341, 323, 307, 354, 325, 379, 452/34 of the Indian Penal Code.

The allegation against the petitioner is that on the alleged date of occurrence, while she was cooking, all of a sudden petitioner and other accused persons armed with stick and rod, forcibly entered her house. The petitioner misbehaved with her and when her husband protested, petitioner assaulted



him on his head by means of iron rod.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence as alleged ever took place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is case and counter-case between the parties. A free fight took place, in which both sides have sustained injuries. Petitioner has no criminal antecedent and the similarly situated co-accused, namely, Bambam Kumar @ Parween Kumar and Fantush Kumar @ Pankaj Kumar have been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 08.07.2021 passed in Cr. Misc. No.2957 of 2021.

Learned counsel for the State opposed the prayer for anticipatory bail.

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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor



Court in connection with Shahpur P.S. Case No.240/2020,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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