

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5929 of 2021

Arising Out of PS. Case No.-410 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

BIJENDRA RAI S/o Late Bunni Lal Rai R/o Village- Harpur Ganesh, P.S.-
Kanti (Panapur O.P.), District- Muzzafarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-08-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Kanti
(Panapur O.P.) P.S. Case No. 410 of 2019 registered for the
offence under Sections 147, 149, 341, 323, 307, 379, 504 of the
Indian Penal Code.

Allegedly, in one night the accused persons came at the
informant's village and started uttering filthy language to the
informant's wife saying her "Dian". On protest, all the accused
persons having armed entered the house and assaulted the



informant, as a result of which, he sustained injury. The nearby people came to rescue but they were also assaulted.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. The nature of injury is said to be simple. The alleged occurrence is said to have taken place on 26-05-2019 and the case was instituted on 06-06-2019. The delay in instituting the FIR has not been explained by the prosecution.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, West, Muzaffarpur



in connection with Kanti (Panapur O.P.) P.S. Case No. 410 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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