

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7508 of 2021

Arising Out of PS. Case No.-503 Year-2019 Thana- BIDUPUR District- Vaishali

BIJENDRA RAI @ BIJENDRA KUMAR SON OF LALO RAI R/o village-
Bishanpur, P.S.- Bidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-08-2021 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 Bidupur P.S.
Case No. 503 of 2019 registered for the offence under Sections
341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

Allegedly, while the informant was getting the people on
his boat, the same act was prevented by accused persons. While
the informant did not accede to the same, the accused persons
inflicted iron rod blow on the head of the informant due to
which, the informant sustained injury. Thereafter, the informant
proceeded towards his home but in the way, the accused persons



surrounded him and in consequence thereof, the mobile and cash Rs. 6000/- of the informant was snatched away and the informant was 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 alleged occurrence took place on 17-11-2019 and the case was instituted on 08-12-2019. 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, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S.



Case No. 503 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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