

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5576 of 2022

Arising Out of PS. Case No.-112 Year-2020 Thana- SIDHWALIYA District- Gopalganj

Rakesh Rawat Sons Of Gorakhnath Rawat R/O Village- Sadauwa, P.S.-
Sidhwalia, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 27-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 341, 328,
324, 307, 302, 504 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the allegation
against the petitioner is of assaulting on the informant's father
by lathi due to which he felt down and other co-accused persons
also assaulted him.

The prosecution case, in short, is that the allegation
against the petitioner is that he assaulted the father of the
informant by *lathi* upon his head and there was a cut injury on



the head of his father, he fell down on the ground thereafter, other persons also assaulted him.

Learned counsel for the petitioner submits that as per F.I.R., occurrence took place on 02.05.2020 and fardbeyan was lodged on 16.05.2020 which was sent for registration on the same day i.e. 16.05.2020 and according to him F.I.R was lodged on 12.06.2020. It is submitted by the learned counsel for the petitioner that since 02.05.2020 to 16.05.2020 no complaint had been lodged against any one. It is also submitted that the father of the informant was a paralytic patient, fell down on the ground and got head injury, he brought his father to local hospital from where he was referred to P.M.C.H. during the course of treatment, he died on 15.05.2020. The inordinate delay in instituting the case has not been explained by the informant. It is further submitted that due to land dispute between the parties, the petitioner has been falsely implicated in this case. It is submitted that during the pendency of the case, informant filed a petition wherein he stated that all the disputes between the parties have been settled. Petitioner is in custody since 09.11.2021, has criminal antecedent of two other cases and charge-sheet has been submitted in this case.

Learned A.P.P. for the State opposes the prayer for



regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gopalganj in connection with Sidhwaliya P.S. Case No. 112 of 2020.

(Khatim Reza, J)

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