

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9918 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- PIPRIYA District- Lakhisarai

MURARI KUMAR Son of Ganga Paswan Resident of Village- Ram
Chandrapur, P.S.- Piparaiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 308, 379, 504, 506, 34 of the Indian Penal Code.

The allegation against the petitioner is of assaulting the informant by means of lathi, causing injury on her head.

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 due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken



place. It is submitted that the alleged occurrence is said to have taken place on 28.09.2021 while the written complaint was submitted in the Police station on 04.10.2021 i.e. after a delay of seven days, without assigning any plausible explanation. Such delay casts doubt about the prosecution case itself. It is further submitted that the injuries sustained by the informant are simple in nature. Petitioner has no criminal antecedent, which is also mentioned at para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the FIR, 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 Pipariya P.S. Case No.76 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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