

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15489 of 2022

Arising Out of PS. Case No.-408 Year-2020 Thana- MASHRAK District- Saran

Hira Rai @ Hiralal Rai Son Of Late Basudeo Rai Resident Of Village -
Harpur Jan, P.S.- Masharak, Distt.- Saran At Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 188, 341, 323, 307, 324, 325, 504, 506 of the Indian Penal Code and Section 302 of the Indian Penal Code was added later on.

It is a case of assaulting by the co-accused persons along with petitioner due to which two injured persons, namely Babuddin and Rozaddin succumbed to injuries.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and has falsely been implicated in the present case on the basis of suspicion and village enmity. There is counter version of the occurrence also and petitioner's side also received injuries. It is further submitted that there is no specific overt act of assaulting to the injured persons against the petitioner. It is also submitted that postmortem report is not on record and not annexed with the Case Diary. Similarly situated other co-accused persons have got the privilege of anticipatory bail in Cr. Misc. No. 4911 of 2021 vide order dated 10.12.2021 by a co-ordinate Bench of this Court. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands)



with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Saran, Chapra in connection with Masharak P.S. Case No. 408 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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