

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27165 of 2021

Arising Out of PS. Case No.-404 Year-2020 Thana- KESARIA District- East Champaran

RAMCHANDRA RAI Son of Shiv Govind Rai Resident of Village -
Keshariya ward No. 9, P.S.- Keshariya, Dist.- E. Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The petitioner is apprehending his arrest in Keshariya P.S.
Case No. 404 of 2020 registered under Sections 341, 323, 324, 379,
354, 307, 504, 506/34 of the Indian Penal Code and ¾ of Dain Act.

Allegedly, while the informant after taking meal was sitting at
his door with his brother and mother, in the meantime, the accused
persons having armed with weapon came at his door and began to
abuse. On protest, the accused persons assaulted informant's mother
and it is also alleged that the accused persons tore his mother's cloth.
Chain worth Rs. 40,000/- is also said to have been snatched away.

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. The FIR has been instituted after 8 days of the alleged occurrence. The delay in instituting the FIR has not been explained by the prosecution. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out.

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 furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Keshariya P.S. Case No. 404 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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