

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20790 of 2022

Arising Out of PS. Case No.-154 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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RAJA SINGH Son of Late Deepak Singh Resident of Mohalla - Panchmandir
Hinri Bazar, P.S.- Town, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-05-2022 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.

The petitioner is apprehending his arrest in Town P.S.
Case No. 154 of 2021 registered for the offence under Sections
147, 148, 149, 332, 333, 353, 354, 427, 307, 504, 506, 320, 379
and 411 of the Indian Penal Code.

Prosecution case in short is that on the tip off, the
informant along with other police personnel reached at the place
of occurrence, where unlawful assemblage of several people
including women was found. They attacked police party and in



consequence thereof, some accused persons along with the petitioner were arrested. Local people entered into scuffle with police and got the petitioner released.

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 made accused in the present case due to mistake of fact. As per allegation, the petitioner is said to have been taken into police custody and on that, a scuffle took place between the family members of the petitioner and the police and in consequence thereof, the petitioner was released from police custody. The allegation, made in the FIR is denied by the petitioner. It has been submitted that the petitioner has never been taken into police custody rather the petitioner and his family members are protesting against the act of police which led to institution of the present case.

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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XVI, Motihari, East Champaran in connection with Town P.S. Case No. 154 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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