

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31273 of 2021

Arising Out of PS. Case No.-628 Year-2020 Thana- MANER District- Patna

SHIV KUMAR @ SHIV KUMAR RAI Son of Late Sita Ram Ray Resident
of Village - Maner Tola Par, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Rathour
For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-02-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Maner P.S. Case no. 628 of 2020 instituted for the offence
under Sections 147, 148, 149, 341, 323, 354, 379, 448, 504 and
506 of the Indian Penal Code.

As per allegation in the FIR, when the husband of the
informant was returning from field, several accused persons



including the petitioner have assaulted him by means of rod resulting into head injury. His relatives were also beaten up by the accused persons when they came there to rescue him. It is further alleged that petitioner had tried to outrage the modesty of the informant.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Both parties are next door neighbour. There is case and counter case between the parties. Both parties have received injuries in alleged occurrence. Allegation of outraging the modesty is fictitious and imaginary.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Maner P.S. Case no. 628 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Danapur subject to the



conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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