

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23672 of 2022

Arising Out of PS. Case No.-388 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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ABHISHEK RAI @ ABHISHEK KUMAR SON OF DINESHWAR RAI R/O
MOHALLA - PANJABI COLONY, GALI NO.-1, P.S.- MUFASSIL,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and learned APP
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 section 147, 148, 149, 307,
323, 341, 379, 504, 506 of the IPC.

Allegedly, the petitioner along with other accused persons
assaulted the informant and one Suresh Rai by means of deadly
weapons due to which they sustained injuries. The accused
persons also snatched motorcycle from the informant.



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. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. In the alleged occurrence both sides sustained injuries and the injuries are simple in nature. Similarly situated co-accused persons have been granted bail by a co-ordinate bench of this court vide order dated 07.04.2022 in Cr. Misc. No. 25743 of 2021. Petitioner has three criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since both sides sustained injuries and similarly situated co-accused persons have been granted bail by a co-ordinate bench of this court, 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 Mufassil P.S. Case No.388 of 2020, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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