

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34341 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- MAJORGANJ District- Sitamarhi

Rafik Rain @ Rafiq Rain Son Of Khalil Rain Resident Of Village - Khairwa
Tola Khap, Ward No.17, P.S.- Majorganj, Distt.- Sitamarhi (Bihar).

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Shankar Kumar, Advocate
For the Opposite Party/s	:	Mr. Dr. Mritunjay Kumar, APP
For the informant	:	Mr. Ayush Kumar, Mr. Ranjeet Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

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 a case
registered under Sections 341, 323, 307, 354, 379, 504 and 34 of the
Indian Penal Code.

The prosecution case, in short, is that the accused persons
assaulted the informant and his son while they were guarding their
orchard due to which they sustained injuries.

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 falsely been implicated in the present case. A case was instituted by the brother of the petitioner against the informant prior to institution of the present case. The present case is nothing but a counter blast to the earlier case instituted by the brother of the petitioner. The alleged occurrence is said to have taken place on 12.6.2020 for which F.I.R. was instituted on 2.7.2020. The delay has not been explained by the prosecution.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 A.C.J.M.- I, Sitamarhi in connection with Majorganj P.S. Case No. 99/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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