

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26033 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- DESARI District- Vaishali

RAJ KUMAR SINGH @ SANTU SINGH Son of Late Aas Narain Singh
Resident of Village - Azampur, P.S.- Desari, (Chandpura O.P.), District -
Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vasant Vikas, Advocate

For the Opposite Party : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
counsel 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 a case
registered under Sections-147, 148, 149, 448, 323, 324, 326,
307, 354, 379 of the Indian Penal Code and ¾ of Prevention of
Witch Craft Act.

Prosecution case in short is that the petitioner and the
co-accused persons armed with deadly weapons came to the old
house of the informant and started damaging the wall. On hulla,
when the informant and others went to her old house, the



petitioner told her “Dayan” and threw acid on her. When family members of the informant came to rescue, they were also assaulted.

It is 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. There is case and counter case between the parties. Free fight is alleged to have taken place. The nature of injury is simple. Hence no offence under Section -307 of the Indian Penal Code is made out. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

Learned counsel for the State submits that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioner named above, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari



(Chandpura O.P.) P.S. Case No. 150 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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