

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29574 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- PATEPUR District- Vaishali

MANOJ RAI S/o Munshi Lal Rai R/o village- Bishunpur Koahi, P.S.- Patahi,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 34 of the Indian Penal Code & Section 27 of Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 29.09.2021 at about 06:30 pm while he was at his home, he heard some noise relating to assault and when he reached the market, he saw the accused persons, including the petitioner, were assaulting his father and the petitioner attacked him by sword and Pappu Rai fired from his pistol and thereafter his father was taken to Patepur Government Hospital for treatment.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next



submitted that the informant has alleged that his father was assaulted by a sword by the petitioner and thereafter he was taken to hospital but on perusal of the F.I.R it would manifest that the same is based on written application of the informant, the learned counsel thus submits that if the injured would have been taken to the hospital and that too a Government hospital then definitely the hospital would have informed the police about the occurrence. It is next submitted that even the impugned order records that there is no injury report of the injured in the case diary.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Patepur P.S. Case No. 209 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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