

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35036 of 2022

Arising Out of PS. Case No.-63 Year-2022 Thana- JANDAHA District- Vaishali

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VIMAL KUMAR @ VINAY KUMAR Son of Ramchandra Rai Resident of
Village - Murtajapur, P.s.- Jandaha, Distt.- Vaishali (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pratyush Pratap Singh, Adv.

For the Opposite Party/s : Mr.Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 147, 323, 504, 506, 341, 307 and
379 of the IPC.

Allegedly, on the order of Awadhesh Rai, petitioner
assaulted the informant on his head by means of iron rod with
an intention to kill him.

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. It is submitted that



for the alleged occurrence, there is a case and counter-case between the parties. Both sides are agnates and a land dispute is going on between them. From the F.I.R. itself it is clear that there is an inordinate delay of 48 days in lodging the FIR and no plausible explanation has been given in this regard which casts doubt about the prosecution case. Though there is allegation against the petitioner of assaulting the informant by means of iron rod but the injuries sustained by him are simple in nature. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, 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 connection with Jandaha P.S. Case No.63/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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