

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41604 of 2022

Arising Out of PS. Case No.-172 Year-2021 Thana- JALALPUR District- Saran

RAJ KISHORE SAH Son of Rameshwar Sah Resident of Village -
Vishanpura, P.S.- Jalalpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 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, 324, 307, 379,
504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent and the informant alleges that on
dispute relating to parking of truck, on the orders of Rameshwar,
accused Ashok assaulted with iron rod causing injury on head,
thereafter petitioner along with Mukesh and Pappu assaulted by
farsa, danda and lathi, further Rameshwar and Sri Bhagwan looted
Rs. 57,500/-. It is next alleged that accused also assaulted his family
members.

Learned counsel for the petitioner submits that petitioner
has been falsely implicated in the present case, it is next submitted
that no doubt allegation of assault is alleged against the petitioner but



then the same is general and omnibus in nature as it is alleged that the petitioner along with two other accused also assaulted, it is next submitted that even the impugned order does not record the nature of injury when injury suffered by the injured informant is simple in nature. It is thus submitted that this amply demonstrates that petitioner never had any intention of committing a serious occurrence and the petitioner will not evade law rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer so that the truth comes out.

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 Jalalpur P.S. Case No. 172 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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