

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50108 of 2022

Arising Out of PS. Case No.-47 Year-2022 Thana- RAJAPAKAR District- Vaishali

1. PAPPU KUMAR @ PAPPU KUMAR RAI Son of Rudal Rai Resident of Village - Randaha, P.S.- Rajapakar (Baranti O.P.), District - Vaishali.
2. Bablu Kumar @ Babloo Kumar Rai Son of Rudal Rai Resident of Village - Randaha, P.S.- Rajapakar (Baranti O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2022 Heard the parties.

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

Learned counsel for the petitioners seeks permission to withdraw this application submitting that petitioner no. 1, has already been arrested during pendency of this application.

Permission is granted.

Accordingly, this application is dismissed as withdrawn against petitioner no. 1.

Now, this application survives only for petitioner no. 2.

Petitioner apprehend his arrest in a case registered for offence punishable u/s 341, 323, 324, 307, 354, 379, 448, 427,



504, 506 and 34 of the IPC.

Allegedly, the accused persons named in F.I.R. including the petitioner abused the informant. They all were armed with sticks, iron rods and axes. They assaulted the informant and his family members. Petitioner took out Rs. 20,000/- kept in the locker and threatened that if the informant do any complaint then he will kill his children.

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 due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. It is further stated that there is only general and omnibus allegation against petitioner. There is specific allegation against the co-accused. Petitioners has five criminal antecedents.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is land dispute between the parties, 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
Rajapakar (Baranti O.P) P.S. Case No.47 of 2022, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

This application is accordingly partly allowed.

(Anjani Kumar Sharan, J)

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