

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64313 of 2022

Arising Out of PS. Case No.-310 Year-2021 Thana- RAGHOPUR District- Vaishali

UJJWAL RAI Son of Bundela Rai Resident of village - Shaidabad, P.S.-
Raghopur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 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, 354, 504, 506 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 account of dispute relating to election, the accused persons, including the petitioner, came to his house and it is alleged that petitioner assaulted informant's son by *farsa* causing injury on head and when informant's wife came to save his son, petitioner assaulted her also causing injury on her head, it is next alleged that Vikash assaulted Dharmendra with sword causing injury on head, Rahul assaulted Abhishek and Aman



with *gadasa* causing injury on their head.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that on account of dispute relating to election, the present false case came to be instituted, it is further submitted that if what has been alleged in the FIR is true, then definitely the injured would have been treated in a hospital, either government or private, but then from perusal of the FIR, it would manifest that the FIR was based on a written application of the informant which amply demonstrates that the injured were never taken to the hospital or else the hospital would have informed the police in the nature of allegations as alleged. Learned counsel further submits that there is a case and counter case between the parties as Raghapur P.S. Case No. 09 of 2022 was filed by the side of the present petitioner against the side of the informant in which the petitioner's side were badly assaulted and injured.

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 Raghapur P.S. Case No. 310 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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