

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3430 of 2023

Arising Out of PS. Case No.-101 Year-2021 Thana- NAYA RAM NAGAR District- Munger

RAJESH KUMAR @ LALU SON OF RAM BALAK YADAV @ BALMIKI
YADAV R/O VILLAGE- EAST MAHAMDA PATAM, P.S.- NAYA RAM
NAGAR, DISTRICT- MUNGER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 308, 354, 504, 506 and
34 of the IPC.

Allegation against the petitioner is of giving lathi blow on
the head of the daughter of the informant.

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 enmity. No such
occurrence, in the manner as alleged, has ever taken place. For
the alleged occurrence, there is case and counter-case between
the parties and both sides have sustained injuries, which have



been found to be simple in nature, as evident from Annexure-3 of the bail application. It is further submitted that there is a delay of four days in filing of the F.I.R., which itself creates doubt about the prosecution case. 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 and considering the delay in lodging of F.I.R., 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 Naya Ram Nagar P.S. Case No.101/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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