

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8113 of 2023

Arising Out of PS. Case No.-192 Year-2022 Thana- BAIRIYA District- West Champaran

RAKESH PRASAD @ RAKESH KUMAR Son of Late Mangar Mahto R/o
Dumariya P.s- Bairiya Dist- west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 341, 323, 324, 307, 504 and 34 IPC.

Allegation against the petitioner is that he assaulted the
informant by means of *Bhala* on his left lower part of shoulder.

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 ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. It is submitted that both sides are agnates and there is an
admitted land dispute between them and for the alleged
occurrence, there is case and counter-case between the parties.
Both sides have sustained injuries in the alleged scuffle, which



injury is simple in nature as per Annexure-3 of the bail application. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory 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 Bairiya P.S. Case No.192/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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