

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16125 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- SIRDALA District- Nawada

KUNDAN RAJBANSHI S/O RAMBILASH RAJBANSHI R/v- Ranka
Jalalpur, P.S.- Meskour, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad,Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sirdalla (Meskaur) P.S. Case No.214 of 2022, registered for the offences punishable under Sections 147, 148, 149, 307, 447, 504, 506 and 379 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein, having assaulted the informant, after they had arrived at the house of the informant, on the alleged date and time of occurrence and are also alleged to have engaged in looting various articles from the



house of the informant. As far as the petitioner is concerned, he is stated to have assaulted one, Mukesh Rajbanshi on his head with rod.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that there is no injury report on record, as far as the aforesaid Mukesh Rajbanshi is concerned, hence a concocted allegation has been levelled against the petitioner and in fact he has not engaged in any sort of specific overt act.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the specific and categorical averment of the learned counsel for the petitioner to the effect that though the



petitioner is alleged to have assaulted one Mukesh Rajbanshi, but he has not sustained any grievous injury, inasmuch as no injury report is available on record, as has also been stated in paragraph no.10 of the present petition, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada in connection with Sirdalla (Meskaur) P.S. Case No.214 of 2022, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

sonal/S.Sb-

U		T	
---	--	---	--

