

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18149 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- BEERPUR District- Begusarai

RAHUL KUMAR SON OF RAM BABU MAHTO RESIDENT OF
VILLAGE- KHARMAULI, PS- BIRPUR, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 28-07-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 379, 385, 504 and 506 of the Indian Penal Code.
3. The informant alleges that while he was at his shop two named accused motorcycle borne criminals, including the petitioner, came and started abusing him, thereafter, it is alleged that on account of non-payment of Rs. 1 lac, by way of extortion, both the accused assaulted the informant with butt of the pistol causing injury on head, thereafter, four more motorcycle borne criminals came and assaulted him and further took out Rs. 2,100/- from the shop.
4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.
5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next



submitted that the allegation does not inspire confidence as the allegation does not even remotely suggest that the occurrence was witnessed by any nearby shopkeepers. It is also submitted that an altercation had taken place between the informant and the accused persons with regard to playing of cricket and there was a fight on account of which, the present false case came to be instituted, it is also submitted that even the injuries suffered by the informant is simple in nature.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 Birpur P.S. Case No. 148 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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