

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25064 of 2023

Arising Out of PS. Case No.-369 Year-2022 Thana- RAFIGANJ District- Aurangabad

DHARMENDRA SAW Son of Shyam Sundar Saw R/o Jakhim Aurangabad,
P.O- Jakhim P.s- Rafiganj, Pin Code- 824122, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhumay Madhup

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 506 and 504/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, When the father of the informant was sitting on the public platform seat (Chabutra). The persons, namely, Dhananjay Paswan along with Dharmendra Saw (petitioner) instigated one person, namely, Rajan Mistri. Thereafter, Rajan Mistry along with his wife and son is said to have assaulted him by means of rod.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that there is only allegation against the petitioner that he is an order giver. He submits that there is no specific overt act against the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is no specific overt act against the petitioner, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Rafiganj P.S. Case No.369/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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