

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37635 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- TAJPUR District- Samastipur

LAL BABU RAY @ LAL BABU RAI S/O BHAGWAT RAY R/O Village-
Chakpahar, PS. Tajpur, Dist. Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 06-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. In compliance of the order dated 05.10.2023, a show-
cause has been filed on behalf of the Senior Superintendent of
Police, Samastipur, authorized by the D.S.P., Samastipur
Headquarter. In the show-cause, it is stated that the injury of one
Bibha Devi was kept reserved as she was referred to Sadar
Hospital, Samastipur for her better treatment but she did not
take further treatment there, as such, her final injury report was
not issued. Thereafter, I.O. of the case contacted to Bibha Devi,
who gave in written report that except Tajpur Hospital, she
never went to Samastipur Hospital for treatment rather she
became fit from treatment of Tajpur Hospital. On that basis, the
Doctor of Tajpur Hospital issued injury report of Bibha Devi. It



is stated that due to non-availability of final injury report of Bibha Devi, the same could not be made available before this Hon'ble Court on earlier dates.

3. The show-cause is accepted.

4. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 147, 341, 323, 324, 307, 354, 379, 325, 504 of the IPC.

5. Allegedly, all the F.I.R. named accused persons including the petitioners attacked the informant. Petitioner is said to have inflicted spade blow on the head of the informant. On alarm, both the son of the informant came there and all the accused persons brutally assaulted them.

6. 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 grudge. No such occurrence, in the manner as alleged, has ever taken place. Allegation against the petitioner is to assault the injured Bibha Devi but her injury has been found simple in nature, which is also clear from the show-cause filed on behalf of the S.S.P., Samastipur. Petitioner has no criminal antecedent.

7. Learned APP for the State opposed the prayer for bail.

8. 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 Tajpur P.S. Case No.357 of 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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