

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37832 of 2023

Arising Out of PS. Case No.-336 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

HARENDRA RAY @ HARENDRA DAS @ HARENDRA RAM SON OF
LATE MATUKDHARI RAM @ MATUK DHARI DAS RESIDENT OF
VILLAGE - DIGHI EAST, P.S. - HAJIPUR SADAR, DISTRICT -
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2023 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, 148,
149, 341, 447, 323, 307, 302, 504, 506 and 120(B) of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. The informant alleges that his elder brother had
purchased land as described in the FIR from Ram Ekbal Singh
thereafter his elder brother and staff of the Registry Office had
gone to inspect the land when it is alleged that the accused
persons came and Jai Prakash Rai assaulted his brother with an
iron rod causing injury and when the informant along with



others tried to save his brother they were also assaulted. It is further alleged that Amarnath Rai assaulted the informant with lathi. It is next alleged that the elder brother of the informant died on way to the hospital.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner is not named in the FIR and he came to be identified based on the CCTV footage but then in the CCTV footage the petitioner is not seen assaulting the deceased. It is next submitted that similarly situated other co-accused have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 22.12.2022 passed in Cr. Misc. No. 58685 of 2022 and order dated 22.12.2022 passed in Cr. Misc. No. 58887 of 2022, thus, learned counsel for the petitioner seeks parity.

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 Court below 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 court below where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 336 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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