

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38631 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- BARGAINIA District- Sitamarhi

ARVIND KUMAR Son of Late Ram Swarup Prasad Resident of vill and post
- Jamua, ward no. 07, Jamua, P.s. - Bairgania, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj, Adv.

For the Opposite Party/s : Mr.Rina Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 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 341, 324, 307, 354 & 34 of the Indian Penal Code.

3. Allegedly, petitioner, along with other accused person, is said to have assaulted the informant with sword. Accused Dharamdev Rai inflicted assault on the informant's head. Petitioner and co-accused Rakesh assaulted the informant on his hand. When Jitendra Prasad tried to save him, co-accused Abhimanyu Prasad inflicted sword blow on his finger causing injury to him.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been



falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is specific overt act against co-accused Dharamdev Rai to assault the informant on his head due to which he sustained grievous injury. Petitioner has criminal antecedents as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, 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 Bairgania P.S. Case No. 22 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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