

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46058 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- PARBATTa District- Khagaria

RAJESH KUMAR SINGH SON OF LATE BINRENDRA NARAYAN
SINGH VILL AGUWANI, P.S PARBATTa, DIST KHAGARIA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar Pandey Mr. Aditya Mr. Sachin
For the Opposite Party/s :		Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Parbatta Police Station Case No. 88 of 2023, dated
04.03.2023, disclosing offences under Sections
341/323/325/307/504/447/506/34 of the Indian Penal Code.

The prosecution case, on the basis of the First
Information Report, is that on the date of occurrence i.e.
03.03.2023, the petitioner along with other accused persons
entered into the house of the informant, assaulted her and her
husband by means of lathi, danda, iron rod, etc. and were also
carrying country made pistol with them.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case due to



some dispute regarding construction of water tank upon the land by the side of the petitioner, which was being objected by the informant's side. He further submits that both the parties are agnates and allegation against the petitioner is general and omnibus in nature. He next submits that injury sustained by the informant and her husband are simple in nature and co-accused Suraj Kumar Singh has been granted regular bail by the learned court below itself. He next submits that the petitioner is having mental issue and he has been made accused because he happens to the father of the co-accused Suraj Kumar Singh.

Having regard to the submissions made on behalf of the parties and taking into consideration that the nature of allegation against the petitioner which is general and omnibus, petitioner is aged about 60 years, both the parties are agnates and a counter case, bearing Parbatta Police Station Case No. 102 of 2023, has also been lodged by the side of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria, in connection with Parbatta Police Station Case No. 88 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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