

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 45560 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- RAJAPAKAR District- Vaishali

Rajesh Kumar S/O Vishnath Singh @ Vishwanath Ray R/O Village- Fulhara,
Ps. Rajapakar, Dist. Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-08-2023 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, 323, 504, 506/ 34 of the I.P.C.

3. As per the prosecution case, the allegation against 12 named persons that they visited to the house of the informant and started abusing and searching about informant's son. They also threatened them to withdraw the case. Upon oppose, they started abusing the informant's husband, accordingly local villagers reached there. In the meantime, local villagers have caught Rohit Kumar and he was handed over to the local police. Subsequently, the petitioner with other accused persons reached there and started abusing to the police officials and took the

arrested Rohit Kumar back.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that there is absolutely no allegation made in the F.I.R. against the present petitioner. Counsel submits that the name of the petitioner is there only and only as a member of mob.

5. Learned counsel for the petitioner further submits that all the offences which has been added in the F.I.R. against the petitioner are bailable in nature except Arms Act. Counsel submits that no recovery of arms has been made, therefore, Section 27 of the Arms Act is not attracted in the present case. Counsel also submits that the co-accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 28.07.2023 passed in Cr. Misc. No. 39522 of 2023.

6. Learned A.P.P. for the State opposes the prayer for bail.

7. In the present facts and circumstances of the case and the submissions made above, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount

each to the satisfaction of the learned A.C.J.M.- IXth, Vaishali at Hajipur, in connection with Rajapakar P.S. Case No. 286 of 2022, dated 16.08.2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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