

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47774 of 2023

Arising Out of PS. Case No.-456 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Rajesh Kumar @ Rajesh Rai @ Rajesh Ray, aged about 25 years (Male) Son
Of Rampukar Ray @ Ram Pukar Roy., Resident Of Village - Konaila
Makdampur, P.S. - Dalsingsarai, Distt. - Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Dalsingsarai P.S. Case No. 456 of 2022 dated 11.11.2022, instituted for the offence punishable under Sections 341, 323, 354B, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. The case of the prosecution, in short, is that on 11.11.2022, at about 6:30 am, all accused person variously armed came at the door of informant and started abusing and assaulting for lifting cow dung in front of the house of the petitioner and on order of one Ram Pukar Rai, one Sunil Rai assaulted on the informant and also Bhulo Devi. It is further



alleged that the petitioner and one Manjay torned blouse of Bhulo Devi and also snatched her earring and golden chain.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is submitted that there is no allegation of assault against the petitioner. The only allegation against the petitioner is of tearing of blouse and snatching of earring, golden chain of Bhulo Devi. It is further submitted that the allegation of assault against the other accused persons in the injury report of Bhulo Devi shows that nature of injury is simple in nature caused by hard and blunt object and it appears that there is no allegation of assault by the petitioner. Lastly, it has been submitted that he has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Dalsingsarai P.S. Case No. 456 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
the learned Addl. Chief Judicial Magistrate – I, Dalsingsarai,
District – Samastipur, subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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