

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47407 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- BHAGWANPUR District- Vaishali

Raushan Kumar @ Jhandu Kumar, male, aged about 22 years, son of Manoj Ray @ Manoj Kumar, resident of village- Akbarpur, PS- Bhagwanpur, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Bhagwanpur PS Case No.91 of 2023 dated 09.04.2023, instituted under Sections 147, 148, 149, 341, 323, 324, 225, 353 of the Indian Penal Code.

3. The prosecution story, in short, is that the informant and other police personnel were on patrolling duty. The informant got information that Bipin Rai, who is wanted in Bhagwanpur PS No. 50 of 2023, is present in his house. When the informant along with the *Chaukidar* reached at the house of Bipin Rai, one person started fleeing away, but he was caught with help of police force and was identified as Bipin Rai by the



Chaukidar. In the meantime, the family members and the local people assembled and started scuffling with the police force on account of which Bipin Rai escaped from the police custody.

4. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner of committing any overt act with the police personnel. Petitioner is the neighbour of Bipin Rai and that is why he has been implicated in this case. It is further submitted that the petitioner has clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on 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 ACJM-1, Vaishali at Hajipur, in Bhagwanpur PS Case No. 91 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Khatim Reza, J)

J. Alam/-

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