

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53842 of 2023

Arising Out of PS. Case No.-507 Year-2022 Thana- KOILWAR District- Bhojpur

Pankaj Rai @ Pankaj Kumar son of Rajendra Rai, r/o Village- Kodaiya Tola
Ps- Koilwar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Koilwar P.S. Case No. 507 of 2022 dated 07.08.2022 instituted
for the offence punishable under Sections 341, 323, 324, 325,
379, 504, 506, 354/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on
07.08.2022 at about 02.00 pm, when the informant along with
her family member were sleeping, then one of the co-accused,
namly, Manoj Kumar @ Nanhak, who was in drunken
condition, entered the house of the informant and dragged the
informant on the ground by catching her hair and assaulted her.
He also torn the saree of her daughter-in-law(*bahu*). Thereafter
the petitioner along with other co-accused persons, armed with



lathi-danda and iron *Daab*, entered into the house of the informant and abused her and assaulted her family members, due to which the informant, her daughter-in-law and her daughter sustained injuries. It is also alleged that they snatched the gold ornaments of her daughter-in-law. It is alleged that they threatened her that if she would lodge case, they would kill her all family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioner. Specific allegation is against Nanhak. Allegation against the petitioner is general and omnibus. The injuries inflicted to the informant and her family members are simple in nature. Learned counsel for the petitioner submits that there is an old land dispute between the parties. Similarly situated co-accused persons, namely, Munna Kumar, Kameshwar Rai & Bali Ram Rai have been granted anticipatory bail vide order dated 24.04.2023 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No. 69065 of 2022. Lastly, it has been submitted that petitioner has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for



anticipatory 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 Koilwwar P.S. Case No. 507 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 Chief Judicial Magistrate, Bhojpur at Ara subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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