

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57765 of 2023**

Arising Out of PS. Case No.-247 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Raj Kamal Rakesh @ Rakesh Kumar Mahton @ Raj Kamal Rakesh Son Of
Ravindra Nath Singh R/O Ward No 14 Harichak, Ps- Bhagwanpur, Dist-
Begusarai

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Ms/Mrs. Madhuri Lata, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 324, 307, 498(A),
120(B) and 34 of the Indian Penal Code read with Section 27 of
the Arms Act.

3. As per the prosecution case, informant got a call
from his brother's phone wherein a doctor informed him that his
brother has been shot and was being treated. It is further alleged
that informant's daughter was married to one Saurav Kumar in
the year 2017 and Saurav Kumar used to assault his daughter as
he was a person with bad character and when informant
protested, he too was misbehaved and assaulted. It is further



alleged that on the order of co-accused Avdhesh Kushwaha, four accused persons, including the petitioner, assaulted the informant and when the informant's brother intervened, he was also assaulted by the accused persons and was threatened that he would be killed. Informant thus alleges that his brother might have been shot by the accused persons, including the petitioner.

4. Allegation of assault is general and omnibus against this petitioner and no specific overt act has been alleged against him. There is dispute between informant's daughter and his son-in-law and petitioner is merely co-villager of informant's son-in-law and has nothing to do with their affair. Co-accused, with similar allegation, has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No.9477/2022. Petitioner claims clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai in Begusarai Muffasil Police Station Case No. 247/2020, subject to the conditions laid down under section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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