

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58537 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- SAHARGHAT District- Madhubani

Rajnarayan Yadav Sonof Gulabyadav Village- Mukhiyapatti W. No-1, Ps-
Saharghat Dist- Madhubani. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 504 and 506 of the Indian Penal Code.

3. As per the prosecution, a case has been lodged against 11 named accused persons. An allegation has been made against all the accused persons that they assaulted the informant due to which he was injured.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. Counsel for the petitioner submits that the present FIR has been lodged with a view to create a defence as an FIR bearing Saharghat P.S. Case No.30 of 2023 has already been lodged by the son of the petitioner against the informant and thereafter the present FIR has

been lodged by the informant. He submits that case and counter case have been filed in this case on the basis of the allegation that the petitioner is appears to be order giver. Counsel also takes plea that the date of incident is 05.03.2023 and the FIR was lodged on 17.03.2023 and it has been forwarded before the Magistrate on 21.03.2023 and the said delay was not explained. Counsel for the petitioner submits that antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail but also submits that it is true that occurrence of 05.03.2023 and *fardbayan* was recorded on 26.03.2023 in the hospital and on the basis of which the FIR was lodged on 17.03.2023.

6. In the present facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned JM- Ist Class, Benipatti in connection with Saharghat P.S. Case No.37 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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