

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58305 of 2022

Arising Out of PS. Case No.-58 Year-2021 Thana- KATRA District- Muzaffarpur

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HARERAM @ HARERAM RAUT Son of Late Chandeshwar Raut R/V-
Laxmipur Jajpur West, P.S- Katra, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv

For the Opposite Party/s : Mr. Dilip Kumar no.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 427, 504, 506 and 34 of the Indian Penal Code.

The allegation against the petitioner is that he alongwith other co-accused persons assaulted the informant's side by means of deadly weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both



sides have sustained injuries. He further submits that the informant was being treated in PMCH, Patna and he was discharged on 01.03.2021 and the FIR has been lodged on 16.03.2021, i.e. after a delay of 16 days and there is no reasonable explanation for such delay which creates doubt over the relevancy of the FIR. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the injuries sustained by the informant are grievous in nature.

Having regard to the facts and circumstances of the case, since the injuries are grievous in nature but there is a delay in lodging of FIR, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Katra P.S. Case No.58 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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