

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63189 of 2023

Arising Out of PS. Case No.-235 Year-2021 Thana- MADHUBAN District- East Champaran

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RAJA RAM PRASAD SON OF LATE HARIDAYAL PRASAD @
HARADAYAL BHAGAT RESIDENT OF VILLAGE - SAWANGIYA, P.S. -
MADHUBAN, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek 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 19-10-2023 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the

State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 354(B), 447, 504, 34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along
with other co-accused persons abused and assaulted the
informant's side. They also tried to outrage the modesty of the
informant. Petitioner is said to have given *dabila* blow on the
head of the informant's husband.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is family dispute between the parties. There is case and counter case between the parties. The injury caused by the petitioner to the informant's husband was found simple in nature. There is inordinate and abnormal delay of four days in filing the present case without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the injury of the informant's husband is simple in nature, let the above named petitioner, be released on bail, in the event of his 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 Madhuban P.S. Case No. 235 of 2021, subject
to the condition as laid down under Section 438 (2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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