

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65209 of 2022

Arising Out of PS. Case No.-36 Year-2022 Thana- RAHUI District- Nalanda

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RAMLAKHAN KUMAR @ RAM LAKHAN YADAV Son of Daroga Ray @
Daroga Prasad Yadav Resident of Village - Nijam Bigha, P.S.- Rahui, District
- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and the
learned APP for the State

The petitioner apprehends his arrest in connection
with Rahui P.S. Case No.36 of 2022 instituted under Sections
341, 323, 504, 506, 354, 379/34 of the IPC lodged on
15.01.2022 by the informant, Raghunandan Prasad.

As per the prosecution story, the informant was sitting
at the door of house along with his brother. Suddenly, twenty
persons came at the house of informant armed variously and
after abusing him some accused persons assaulted him with rod.
They also resorted to indiscriminate firing. Informant



recognized six accused persons. Accordingly, the FIR.

Learned counsel for the petitioner submits that it is a matter of a case and counter case, both the parties are agnates and the matter relates to land dispute. The further submission is that although allegation of assaulting with rod and indiscriminate firing are there, no injury has been brought on record to support the said prosecution story. He, however, concedes that the petitioner has criminal antecedent, all lodged by the others.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into consideration the kind of allegation that has come against the petitioner as also that there is case and counter case and no injury has been shown, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Rahui P.S. Case No.36 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Biharsharif, Nalanda, subject to the conditions as



laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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