

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76523 of 2023

Arising Out of PS. Case No.-2013 Year-2022 Thana- SARAN COMPLAINT CASE District-
Saran

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SMT BAIJANTI DEVI W/O Ramesh Persad, Resident of Village - Jail
Railway Crossing Abadganj, Ward no.22, P.S. - Daltenganj, Distt.- Palamu
Jharkhand, Pin- 822101

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Yogendra Rai Son of Late Bahadur Rai R/o Harpur, Distt. - Saran

... .. Opposite Party/s

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Complaint Case No. 2013 of 2022 dated
04.07.2022 registered for the offences punishable u/ss 147, 148,
149, 341, 323, 427, 420, 467, 468 and 120B of the Indian Penal
Code and u/s 27 of the Arms Act.

3. As per the prosecution case, when the Complainant
was ploughing his field, meanwhile, the petitioner and the co-
accused persons armed with various weapons came there and
assaulted the Complainant. It is further alleged that the accused
persons opened fire and also threatened the Complainant to



leave the said field otherwise they would kill him.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The occurrence took place on 30.07.2021 but the complaint was lodged on 04.07.2022 after delay of one year and there is no explanation for the same. Learned counsel has further submitted that a civil suit vide Petition Suit No. 369/2021 is pending between the parties. The co-accused persons have already been granted bail by the Coordinate Bench of this court vide order dated 06.07.2023 passed in Cr. Misc. No. 22856 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Saran at Chapra in connection with Complaint Case No. 2013/ 2022, subject to



conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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