

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72795 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- KHANPURA District- Samastipur

Rahul Kumar S/O Siya Lal Sahni Village- Jahangirpur Kharaj, Ps. Khanpur,
Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, A.P.P

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

ORAL ORDER

2 22-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Khanpur P.S Case No. 107 of 2023 dated 01.05.2023 corresponding to G.R. No. 1409 of 2023 registered for the offences punishable under Sections 341, 323, 379, 354B, 447, 448, 307, 504 and 506 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons entered the house of the informant and the



petitioner assaulted the informant with iron rod causing head injury. In the meantime, the co-accused Ruby Devi, Baby Devi wrapped the rope in her neck. When the informant's son came to rescue, the co-accused Siyalal Sahni and the petitioner also assaulted him, causing injury.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that the injuries are simple in nature caused by hard and blunt substance. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that there is specific allegation of assault against the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the injuries being simple in nature, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory 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,



Samastipur in connection with Khanpur P.S Case No. 107 of 2023 dated 01.05.2023 corresponding to G.R. No. 1409 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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