

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73158 of 2023**

Arising Out of PS. Case No.-982 Year-2021 Thana- PHULWARISHARIF District- Patna

ROHIT KUMAR Son of Laxman Rai Resident of Village - Phulia Tola,  
Police Station - Phulwari Sharif, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

2      10-11-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Special Case No. 7573 of 2021 arising out of Phulwari Sharif P.S. Case No. 982 of 2021 instituted under Sections 341, 323, 324, 354 of the Indian Penal Code and under Section 37 (C) of Bihar Prohibition and Excise Act.

3. The allegation is that the petitioner and his father came at the home of the informant and assaulted him with pistol butt and iron rod respectively and the petitioner also misbehaved with his daughter-in-law.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that both the parties are agnates and they have



compromised the case and in this regard they have already filed the compromise petition before the learned Court below. He also submits that there is no allegation against the petitioner that he had taken the liquor. Petitioner is a young boy having no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge Excise, Patna in connection with Special Case No. 7573 of 2021 arising out of Phulwari Sharif P.S. Case No. 982 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

**(Sunil Dutta Mishra, J)**

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