

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7867 of 2024

Arising Out of PS. Case No.-305 Year-2021 Thana- DARAUNDA District- Siwan

Rajesh Singh Son of Rajnath Singh R/o vill - Pakwaliya, P.S. - Daraunda,
Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Daraunda P.S. Case No. 305 of 2021, registered for the alleged offence under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons armed with *lathi*, *danda* and sword assaulted the complainant/informant and the co-accused persons also snatched a gold chain from the mother of the complainant and Rs. 8,000/- cash from the complainant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The fathers of the petitioner as well as the informant are



brothers and some dispute arose between them for their claim on the land of each other. Moreover, the present case is counterblast of Daraunda P.S. Case No. 62 of 2019 lodged by the petitioner under Sections 341, 323, 324, 504, 379/34 of the Indian Penal Code against the informant of this case, in which the complainant of this case caused injury to the son and wife of the petitioner. In order to save himself, the complainant filed the present complaint petition after eleven days of the said occurrence and the FIR came to be registered after two years. Learned counsel further submits that in the injury report some injuries have been shown on the petitioner but these injuries are lacerated wound and abrasion and dimensions of the injuries are small and the same are stated to be simple in nature caused by hard and blunt substance. Learned counsel further submits that the petitioner is having clean antecedent.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the earlier counter version of the petitioner and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned



within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Siwan/concerned court in connection with Daraunda P.S. Case No. 305 of 2021, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

