

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7373 of 2024

Arising Out of PS. Case No.-650 Year-2023 Thana- SONEPUR District- Saran

SHAILESH RAI Son of Mahendra Rai Resident of Village-Sabalpur
Chaharam, Police Station-Sonepur, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sonpur P.S. Case No. 650 of 2023 instituted under Sections 147, 148, 149, 341, 323, 448, 324, 307, 379, 354(b), 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, there was a land dispute between both the parties and during the construction of wall by the informant on the land in question on order of co-accused Mahendra Rai, Sailesh Rai(petitioner) assaulted Gorakh Rai on his head with *Dab* who was treated in Hospital and when police not registered case, the complaint case has been filed which has been converted into FIR.

4. Learned counsel for the petitioner submits that the

petitioner has no criminal antecedent, he is innocent and has been falsely implicated in the case. The Title Suit between the parties is going on and the injury report of Gorakh Rai shows simple in nature. The Complaint Case has been filed after 37 days without any plausible explanation.

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 each to the satisfaction of the learned Chief Judicial Magistrate, Saran, Chapra in connection with Sonpur P.S. Case No. 650 of 2023, 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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