

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13299 of 2024

Arising Out of PS. Case No.-187 Year-2021 Thana- DERNI BAZAR District- Saran

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Shailesh Rai @ Shailesh Kumar SON OF SHIV RAI R/O VILLAGE-
KHAJAULI, P.S.- DERNI, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 325, 307, 427, 504, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case and police, after
investigation, submitted final form exonerating the petitioner of
the allegation. It is further submitted that petitioner has been
falsely implicated in the instant case by the informant with an
allegation that petitioner assaulted her by *fersa* causing injury
on her head. It is next submitted that on account of dispute
relating to land, an altercation had taken place when both sides
assaulted each other. It is next submitted that no doubt there is



allegation of assaulting the informant by *fersa* on head, which is vital part of the body but then from perusal of injury report, it would manifest that the injury has been caused by hard and blunt substance and is simple in nature which amply demonstrates that the petitioner never had any intention of committing any serious act. It is also submitted that from the side of petitioner also, an FIR has been instituted being Derni PS Case No. 186 of 2021. It is further submitted that the present case is a counter-blast to Derni PS Case No. 186 of 2021. It is next submitted that petitioner will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Derni P.S. Case No. 187 of 2021 subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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