

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13289 of 2024

Arising Out of PS. Case No.-647 Year-2023 Thana- BIDUPUR District- Vaishali

Harinath Rai @ Harinath Kumar S/o- Mahendra Rai Village- Harpur Gopal P
s- Bidupur Dist-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar

For the Opposite Party/s : Mr.Anil Kumar

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 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant on account of
dispute relating to land. It is next submitted that from perusal of
allegation as alleged in the FIR, it would manifest that a specific
allegation of assaulting the injured is against Mahendra Rai and
Krishnajeet Kumar and as far as this petitioner is concerned, a
general and omnibus allegation has been alleged that he also
assaulted with a *lathi*, *danda* and rod. It is thus submitted that it



is not possible for a person to assault simultaneously with a *lathi*, *danda* and rod respectively. It is thus submitted that no doubt injured have suffered injuries, but then in the nature of allegations as alleged in the FIR, particularly with respect to the petitioner, the allegation against him is not specific. It is also submitted at the cost of repetition that the petitioner is not a criminal and is a person with clean antecedent.

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. 10,000/- (Rupees Ten 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 Bidupur P.S. Case No. 647 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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