

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17508 of 2024**

Arising Out of PS. Case No.-217 Year-2023 Thana- BAJPATTI District- Sitamarhi

Rahul Kumar @ Rahul Rai S/o Chandeshwar Rai R/o vill - Patdaura, P.s. -  
Bajpatti, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Santosh Kumar  
For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      27-03-2024              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, 307, 354B, 504, 506 and 34 of the Indian Penal Code.

3.    Learned counsel for the petitioner submits  
petitioner has antecedent of two cases, including one under the  
Excise Act. It is further submitted that informant alleges that the  
petitioner assaulted him by a rod on his head causing injury and  
when his son came to his rescue, he was also assaulted by the  
accused persons and Roshan Kumar threatened to kill him by  
brandishing pistol in his hand and also fired, while Vikash  
Kumar pulled sari of his wife. It is next submitted that the date  
of occurrence is 16-7-2023 and the FIR has been instituted on



23-07-2023, without any plausible explanation for the delay. It is also submitted that from perusal of the injury report of the injured, it would manifest that all injuries suffered by the informant are simple in nature, though the doctor with respect to injury No. 1 has opined that the injury may be dangerous to life. It is further submitted that it absolutely does not stand to reason that the nature of injury caused on the head of the informant has been opined to be simple in nature then how the said injury could be dangerous to life, this demonstrates that the injury report appears to be manipulated and even there is a delay in instituting the FIR.

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 Bajpatti P.S. Case No. 217 of 2023, subject to the conditions as laid down under



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

(Satyavrat Verma, J)

SUMIT/-

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