

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19387 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- WARISLIGANJ District- Nawada

DILIP KUMAR RAUT @ DILIP RAWAT @ DILIP KUMAR S/o Sita Rauth
@ Sita Raut Resident of Village-Chandipur, Rajapur Saur, P.S.-Warsaliganj,
District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Satya Kirti

For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-04-2024 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 offence punishable under Sections 147, 148, 149, 323, 324, 332, 333, 337, 338, 307, 353 of the Indian Penal Code & Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of 11 cases and has been falsely implicated in the instant case by the informant with general and omnibus allegation. It is further submitted that the informant alleges that he received an information that brick batting and firing are going on in between two communities as detailed in the F.I.R. for control of business of railway rack point, accordingly, police force reached the place of occurrence, where they saw that



three persons were lying in injured condition, who were sent for treatment by police vehicle, in the meantime, both groups started pelting stones and bricks over the police force causing injury. The learned counsel next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation against the petitioner is not specific. It is further submitted that it may be a possibility that because of his antecedent, the police implicated the petitioner also. It is next submitted that though there is allegation of firing in between the two groups but then no one was injured in the firing. It is also submitted that even the S.I. Nirmal Kumar received injury on non-vital part of the body i.e. left palm. It is also submitted that the petitioner will not abscond rather will co-operate 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty 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 Warsaliganj P.S. Case No.27/2024, subject to the



conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Further, one of the bailors of the petitioner shall be his father, namely, Sita Rauth @ Sita Raut.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation or not presenting himself when required, in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner and to take all coercive steps to ensure that petitioner is behind bar.

8. It is further made clear that in the event if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

9. Let this order be communicated to the concerned P.S. through the learned trial court.

(Satyavrat Verma, J)

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