

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23410 of 2024

Arising Out of PS. Case No.-140 Year-2023 Thana- BACHHWARA District- Begusarai

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RAM IQBAL RAI @ RAM IKABAL RAY SON OF LATE BRAHMADEV
RAY RESIDENT OF VILLAGE - VISHANPUR, LODIAHI, P.S. -
BACHHWARA, DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Sharma, adv.

For the Opposite Party/s : Mr.Nirmala Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Bachhwara P.S. Case No. 140 of 2023 dated
07.05.2023 registered for the offence/s punishable u/ss 341, 323,
337, 307, 379, 504 and 506 read with section 34 of the Indian
Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have come to the door of the
informant and started abusing. When the informant objected, the
accused Ram Ekbal Rai assaulted him on his head with iron
Khanti causing injury. When his son came to rescue, the accused
Arvind Rai assaulted him on his head with iron Khanti causing



injury. When one Dinesh Rai came to rescue, the accused persons also assaulted him on his head with brick, thereafter all the accused persons entered the informant's house and took out Rs. 50,000/-, gold earring, silver ornament and cloths and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is case and counter case between the parties. There is a delay of nine days in lodging the FIR. As per supplementary affidavit filed on behalf of the petitioner, the injuries are stated to be simple in nature. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner had no intention to cause death of the informant.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the injuries being simple in nature, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand)



with two sureties of the like amount each to the satisfaction of the learned court concerned, Begusarai in connection with Bachhwara P.S. Case No. 140 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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