

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 26548 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- SAHPUR District- Patna

Binod Rai S/o Dipti Rai Resident of Daudpur, Ward No. 3, P.S. Shahpur,
District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Shahpur P.S. Case No. 26 of 2024 dated 12.01.2024 instituted
for the offence punishable under Sections 341, 323, 354, 427,
379, 448/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date of occurrence, petitioner entered the house of the informant
and started molesting her wife. On protest made by informant's
son, the petitioner along with other accused persons assaulted
him and Dipty Rai snatched the golden chain from the wife of
the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that informant is not an eye-witness of the incident. At the time of alleged occurrence, the informant was not present in the house. Learned counsel for the petitioner submits that it has also been alleged that much prior to the present case, the mobile of the informant was stolen, for which one case was instituted by the informant, i.e. Shahpur P.S. Case No. 734 of 2023. In that case, one Ankaj Kumar was also an accused and due to that reason the accused persons including the petitioner has committed the present case. Learned counsel for the petitioner further submits that the petitioner and the informant are co-villagers and there is a previous enmity between them. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Shahpur P.S. Case No. 26 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate 1st Class, Danapur at Patna subject to condition as
laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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