

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32980 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- CHAORI District- Bhojpur

Harendra Kumar @ Harendra Rai Son of Late Nathuni Rai Resident of
Village - Dhanchhuha, P.S. -Chaori, Distt. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv.

For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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

ORAL ORDER

2 23-05-2024 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 Chaori P.S. Case No. 121 of 2023 dated
24.12.2023 registered for the offences punishable u/ss 341, 323,
307, 354, 354B, 379, 504, 506 read with section 34 of the Indian
Penal Code.

3. As per the prosecution case, when the informant
along with her family members was sitting at her house then the
co-accused, Anil Rai came there in drunken condition and
started abusing them. On being objected by the informant, the
co-accused, Anil Rai started assaulting the informant then the
informant's brother came to rescue, he was also abused.



Thereafter, the petitioner and the co-accused persons entered the informant's house and the petitioner threatened her that she would be killed. Thereafter, the petitioner and the co-accused, Bipin Bihari Rai started pulling her cloth due to which she became naked in the courtyard. On being objected by the informant, they started pressing her neck with intent to kill her and caught hold of her hair and dashed on the wall due to which she sustained injury on head and fell down then they assaulted with fists and slaps. The petitioner snatched golden chain and the co-accused, Susum Kumari and Nirmala Devi took Rs. 25,000/- from the informant. The accused persons also threatened the informant to kill her in the way when she would go to Khaira to run her CSP.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. As per the injury report of the injured, the injured sustained eight multiple injuries swelling, pain and scratch wound and the opinion is kept reserved. No any dimension of the injury has been mentioned in the injury report. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.



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 nature of allegation against the petitioner, 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, Bhojpur in connection with Chaori P.S. Case No. 121 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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