

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45072 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- PANDAUL District- Madhubani

HARISH CHANDRA RAUT, son of Late Nanu Raut, R/o Village- Mohanpur
Ps- Pandaul Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagandeo Yadav, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 18-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Pandaul P.S. Case No. 108 of 2022 registered for the offences punishable under Sections 341, 323, 324, 308, 379, 504/34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, due to some earlier dispute, the petitioner along with other co-accused assaulted the informant with khanti and when the informant's father-in-law came to rescue they also assaulted him. The petitioner and other co-accused assaulted Manju Devi and also took Rs. 10,000/- and ornaments.



4. Learned counsel for the petitioner submits that the petitioner and the informant are neighbours and from the FIR itself, it would appear that there was some earlier dispute which had already been compromised. It is because of the said old dispute, the present false case has been registered.

5. Learned counsel submits that no serious injury has been caused to the injured Yogi Raut.

6. On the other hand, learned APP for the State submits that there is a specific allegation against the petitioner that he had assaulted Yogi Raut by means of a Khanti on a vital part of his body i.e. head and the learned Sessions Judge, Madhubani has taken note of the injury found by the doctor in the impugned order. An incised wound on the left temporal bone (scalp) measuring 3''x ½''x ¼'' has been found.

7. Having regard to the materials on the record, taking note of the specific allegations against the petitioner which is getting corroborated from the medical report, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner. The prayer is refused.



8. In case the petitioner surrenders and prays for regular bail in the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

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