

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35484 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- DHANSOI District- Buxar

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Rinku Ram S/o Sudarshan Ram, R/o Village-Birna, P.S.-Dhansoin, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Dhansoi P.S. Case No. 28 of 2024, registered for the alleged offence under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused assaulted the informant in the background of land dispute causing fracture of his head and making him unconscious.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation is completely false and concocted. The background of land dispute is admitted. The informant is full



brother of the petitioner and he has lodged the F.I.R. against his father, mother and brother due to land dispute. From the F.I.R. it is evident that there is no application of Section 307 and 379 I.P.C. and other offences are bailable in nature. Though, there is allegation against the petitioner is that of giving Lathi blow on the head of the informant, there is no repetition of blow and injury is found to be simple in nature. Petitioner has got no criminal antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner that he hit the informant on his head and a stitch wound of size two inches was found, though injury is stated to be simple in nature.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-specific and vague nature of allegation against the petitioner and further considering the probability of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Buxar/concerned court in connection with Dhansoi P.S. Case No. 28 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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