

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44917 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- DHAKA District- East Champaran

Akhilesh Rai Son Of Late Parichhan Rai Resident Of Village - Bakrihari, P.S.
- Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Dhaka P.S. Case No. 25 of 2024 dated 13.01.2024, instituted for
the offence punishable under Sections 341, 323, 324, 325, 307,
354B, 379, 427, 447, 34 of I.P.C. later on Section 302 of the
Indian Penal Code was added.

3. The prosecution case, in short, is that the petitioner
along with other co-accused came to the house of the informant
with iron rods and started damaging the boundary wall of the
informant owing to an earlier land dispute. Further, the
petitioner along with other co-accused started demolishing
boundary wall of the informant and when the informant
objected, they assaulted him with lathi and danda.



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 in the second part of the F.I.R. four persons armed with lathi and danda demolished the boundary wall of the informant, petitioner is one of them and except this there is no allegation of assault against the petitioner. Lastly, it has been submitted that petitioner has one criminal antecedents.

5. Learned A.P.P. has opposed the prayer for 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 Dhaka P.S. Case No. 25 of 2024, he/they shall be released on anticipatory 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 SDJM, Sikrahna at Dhaka, East Champaran, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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