

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54374 of 2024

Arising Out of PS. Case No.-219 Year-2017 Thana- CHAKIA District- East Champaran

Raju Singh @ Raj Kumar Singh @ Raj Kumar Son of Birendra Narayan
Singh @ Virendra Singh R/O Vill.- Parsauni Khem, Narkatia, P.s.- Chakia,
Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-11-2024 Heard Mr. Kundan Rathore, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Chakia P.S. Case No. 219 of 2017 registered under
Section(s) 341, 342, 323 and 308/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
at the point of a revolver and with the help of a towel dragged
the informant to a deserted place near *pokhara* and assaulted
him with an intention to kill. The informant was saved by some
villagers.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has been implicated in a



false case due to village politics and the long standing land dispute. The petitioner and the informant are co-sharers. The petitioner was granted benefit of Section 41 of the Code of Criminal Procedure and charge sheet has already been submitted. No injury has been caused to the informant. Learned counsel also submitted that other co-accused persons have already been granted bail by this Court vide order dated 17.02.2024 passed in Cr. Misc. No.6589 of 2024. On these grounds, the petitioner seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner was granted benefit of Section 41 of the Code of Criminal Procedure and charge-sheet has already been submitted and the petitioner is seeking bail on the ground that no injury has been caused to the informant and also the fact that other co-accused persons have already been granted bail by this Court, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or



surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate/ concerned Court, Motihari, East Champaran in connection with Chakia P.S. Case No. 219 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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