

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52012 of 2024

Arising Out of PS. Case No.-308 Year-2020 Thana- DANAPUR District- Patna

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PINTU KUMAR @ PRABHAKAR KUMAR SON OF HARINARAYAN
RAI RESIDENT OF MOHALLA - DUJRA, PEHALWAN GHAT, P.S. -
BUDHA COLONY, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 279, 337, 338, 307 of the Indian Penal Code.

3. Allegation against the petitioner is that he dashed the Bolero vehicle from behind to the bike of the informant due to which he sustained grievous injuries.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He is cousin brother-in-law of the informant. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation



levelled against the petitioner is totally false and based on concocted facts. It is further submitted that the alleged occurrence took place on 19.05.2020, but the same was informed to police on 22.05.2020 and *Fardbayan* was recorded after delay of three days without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. It is further submitted that the location which was mentioned by the informant is completely covered under CCTV surveillance, but the investigating officer did not use that CCTV footage in course of investigation. It is further submitted that the real fact is that in the year 2015, the petitioner's sister has lodged a criminal case against the present informant and his family members bearing Budha Colony P.S. Case No 341/15 under Section 498(A) of the Indian Penal Code and thereafter, only with a view to make undue pressure upon the petitioner, Complaint Case No. 1427 of 2018 as well as the present case has been filed. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is inordinate delay in lodging of the FIR, let the above named petitioner, be released on bail, in the event of his



arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Danapur P.S. Case No. 308 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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