

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55153 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

Shubham Rai @ Bittu Son of Pramod Kumar @ Manoj Rai @ Pramod Kumar
Rai R/O Vil.- Chunni, P.s.- Buxar Muffasil, Dist.- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umashankar Sharma, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 31-08-2024 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 Buxar Muffasil P.S. Case No. 34 of 2024, registered for the alleged offence under Sections 147, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons stopped the bus by which the informant was travelling and hot him down and assaulted him with pistol and iron rod. The allegation against the petitioner is that he hit the informant with iron rod.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The injury report shows abrasion over post auricular area



and infra orbital area and this shows the allegation of assault by iron rod is false. The injuries are quite simple and superficial and the allegation is omnibus against all the accused persons. Moreover, it has nowhere been mentioned on which part of the body of informant, petitioner assaulted with iron rod. The petitioner is student of graduation aged about 21 years and is having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the completely superficial nature of injuries and further considering the possibility of false implication, 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 in connection with Buxar (Muffasil) P.S. Case No. 34 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)

Ashish/-

U			
---	--	--	--

