

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66735 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Prem Chandra Rai Son of Late Dhyani Rai Resident of Village - Dih Dashara,
Police Station - Patori, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Patori P.S. Case No. 18 of 2024 dated 17.01.2024 registered for the offences punishable u/ss 341, 323, 324, 307, 379, 504 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have abused the informant. On being objected by the informant, the co-accused, Nitish Kumar inflicted farsa blow on the head of the informant due to which he sustained injury. Thereafter, the petitioner and the co-accused persons assaulted the informant with lathi, stick, bricks



and stones. When Kusheshwar Thakur, Raj Kumar Thakur and Sunil Thakur came to rescue then they were also abused and assaulted by the accused persons and also snatched gold chain from the informant's neck. The co-accused, Reeta Devi took Rs. 3,000/- from the informant's pocket.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is a case and counter case between the parties. The specific allegation of inflicting knife blow is against the co-accused, Nitish Kumar. There is general and omnibus allegation against the petitioner. As per the injury report of the injured, the injury is simple in nature caused by hard and blunt object. It is further submitted that the two other persons, Kusheshwar Thakur and Raj Kumar Thakur also received injuries but their injuries are also simple in nature. The co-accused person has already been granted regular bail by this court vide order dated 25.06.2024 passed in Cr. Misc. No. 42398 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation against the petitioner, let



the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Samastipur in connection with Patori P.S. Case No. 18 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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