

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63667 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Sumindra Rai @ Sumindra Kumar Son of Nagendra Ray Resident of Village-
Pakaha, PS- Baikunthpur, District- Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.

For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Baikunthpur P.S. Case No. 173 of 2023 registered under
Sections 341, 323, 325, 307, 504 and 34 of the Indian Penal
Code.

3. As per prosecution case, on the alleged date and time
of occurrence, all the F.I.R. named accused persons including
this petitioner assaulted informant and his friend by means of
lathi and rod, on account of which they sustained injury.

4. Learned counsel appearing on behalf of the petitioner
submits that the entire prosecution case is false and frivolous
and petitioner has falsely been implicated in the present case
due to village politics. As per FIR, the incident took place on



17.05.2023, but the instant FIR has been lodged on 19.05.2023, i.e. after a delay of two days without assigning any plausible explanation for delay. Allegation of assault is general and omnibus. No specific over act is alleged against the petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposed the bail application and submits that petitioner is named in the First Information Report with the allegation of assault.

6. Having considered the aforesaid facts and circumstances of the case and delay in lodging the FIR, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail-bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 173 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

