

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66066 of 2024

Arising Out of PS. Case No.-380 Year-2023 Thana- JOKIHAT District- Araria

Raja son of Wahab Village- Kakan, Tola Udan toli, Ward no. 10, Ps- Jokihat,
Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in connection with Jokihat P.S. Case No. 380 of 2023, registered under Sections 341, 323, 324, 325, 307, 506, 302 & 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, when the husband and father-in-law of the informant were returning to home from market, co-accused Jahangir gave a *farsa* blow on the head of her husband and co-accused Ishaque assaulted by means of axe on the head of her father-in-law and thereafter all



the accused persons including the petitioner assaulted them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is delay of three days in lodging of the F.I.R. The allegations levelled against the petitioner are not specific, rather general and omnibus in nature. The specific allegation of assaulting husband and father-in-law of the informant are against Jahangir and Ishaque by means of *farsa* and axe. There is case and counter case between the parties. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by this Court *vide* order dated 02.05.2024 passed in Cr. Misc. No. 34386 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jokihat P.S. Case No.



380 of 2023, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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