

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77171 of 2023

Arising Out of PS. Case No.-542 Year-2022 Thana- GOPALPUR District- Patna

SURENDRA KUMAR RAI @ SURENDRA KUMAR SON OF LATE DEVI
RAI RESIDENT OF VILLAGE - BAIRIYA, P.S. - GOPALPUR, DISTRICT -
PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Gopalpur P.S. Case No. 542 of 2022 registered on 20.10.2022 for the offences under Sections 341, 323, 325, 384, 504 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and his co-accused brother abused and assaulted the son of the informant with danda and they threatened him showing pistol. When the informant reached at the spot he was also assaulted by the petitioner and co-accused and they demanded ransom of Rs. 50,000/-.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case due to enmity and village politics and in order to harass the petitioner. Informant and the petitioner are resident of the same village and it is not believable that petitioner demanded ransom amount of Rs. 50,000/-. All the sections are bailable except section 384 of the IPC which is not applicable in this case. Learned counsel further submits that the petitioner is having criminal antecedent of six cases but he is on bail in all the cases.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-specific nature of allegation against the petitioner, 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna/concerned court in connection with Gopalpur P.S. Case No. 542 of 2022, subject to the condition as 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)

Prakash/-

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