

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81174 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- BELDOUR District- Khagaria

Raj Kumar Rahi, S/o- Late Sikendra Yadav, R/o Village- Kainjari, Ward No.5,
P.S- Beldaur District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Beldaur P.S. Case No. 145 of 2024, registered for the offences punishable under Sections 341, 323, 504, 506 and 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, on the fateful day, while the informant along with his mother Piniky Devi and his sister were cutting maize crop in the field, in the meantime, all the accused persons armed with weapon came there and made open fire on the mother of the informant but she narrowly escaped.

4. Learned counsel for the petitioner drawing the attention of this Court to the FIR contended that admittedly



none has sustained any injury nor any empty cartridges were found at the place of occurrence. The alleged occurrence is nothing but an offshoot of the land dispute between the parties. Taking note of the omnibus allegation, learned court below has accorded the privilege of anticipatory bail to all the accused persons, except the petitioner who is having one criminal antecedent, as has been disclosed in para-3 of the bail application. It is lastly contended that the petitioner undertakes that he will fully abide by the terms and conditions of this Court and cooperate in the proceeding.

5. Learned counsel for the State opposed the bail application and submitted that there is specific allegation of causing open fire.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that none has sustained any injury, coupled with the fact that others have been allowed the privilege of anticipatory bail by the court below itself, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
Judicial Magistrate 1st Class, Khagaria in connection with
Beldaur P.S. Case No. 145 of 2024, subject to the conditions
laid down in Section 438(2) Cr.P.C. with the further condition
that one of the bailors shall be the own/close family members of
the petitioner.

(Harish Kumar, J)

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