

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83854 of 2023

Arising Out of PS. Case No.-129 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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RAHUL KUMAR Son of Lal Mohan Prasad @ Ashok Prasad R/o vill -
Hussaini, Kaswa Tola, P.S. - Dumariyaghat, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 379, 504, 506, 427, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along
with other co-accused persons are said to have assaulted the
informant and his family members.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that
there is no specific overt act against the petitioner. He further



submits that the injury was found simple in nature, it is clear from the impugned order itself. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Dumariyaghat P.S. Case No. 129 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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