

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85778 of 2023

Arising Out of PS. Case No.-277 Year-2023 Thana- BUXAR District- Buxar

Rohit Kumar Son of Kashi.- Chaudhary R/O Of-MOHALA-Mallah-TOLI
Buxar.-PS.-Buxar.-T-DIST.-Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending arrest in connection with Buxar (Town) P.S. Case No. 277 of 2023, registered on 23.05.2023 for the offences under Sections 341, 342, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner entered into the house of the informant and in the background of previous dispute, assaulted her with iron rod on her head causing its fracture. The husband and father-in-law of the informant were also assaulted by this petitioner with Daab. Co-accused father of the petitioner also assaulted the husband of the informant causing injury to the husband and his brother.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. For the same occurrence, there is case and counter case between the parties and the petitioner's side has filed Buxar (Town) P.S. Case No. 278 of 2023 against the informant's side for the offences punishable under Sections 147, 148, 149, 341, 323, 354(A), 307 and 506 of the IPC. Learned counsel further submits that injury reports of the injured persons show all the injuries are simple in nature caused by hard and blunt substance and none of the injuries was found to be caused by sharp weapon. All the injuries are stated to be on non-vital parts. Learned counsel further submits that the petitioner is accused in one more case, which has been filed by the same informant.

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 counter case of the petitioner's side and possibility of false implication, let the petitioner above named, in the event of arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of ₹10,000/- (Rupees Ten Thousand Only) with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar/concerned court in connection with Buxar (Town) P.S. Case No. 277 of 2023, 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)

Amrendra/-

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