

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65953 of 2024**

Arising Out of PS. Case No.-526 Year-2023 Thana- GARKHA District- Saran

Kameshwar Ray Son of Ram Ishwar ray R/o vill - Ismailpur, P.S. - Garkha,  
Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                                               |
|----------------------------|---|-----------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr.Alok Kumar, Sr. Adv. With<br>Mr. Raghwendra Pratap Singh &<br>Mr.Ashutosh Kumar, Advocates |
| For the Opposite Party/s : |   | Mr.Lalan Kumar, APP                                                                           |

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

5      24-01-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Garkha P.S. Case No. 526 of 2023 registered on 17.08.2023 for the offences punishable under Sections 341, 323, 379, 307, 504, 506, 34 of the Indian Penal Code.

3. As per prosecution case, there is allegation against the petitioner who is said to have assaulted informant's mother by means of rod.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated in this case. There is case and counter case between the parties



and prior to filing of the present case Garkha P.S. Case No. 525 of 2023 dated 16.08.2023 has been filed by the father of the petitioner and the present case is nothing but the counter blast of the earlier case filed by the petitioner's side. Learned counsel further submits that on perusal of the first information report, it is evident that there is dispute between both the parties which cannot be rejected and because of the previous dispute the present petitioner has been falsely implicated in the present case and the case has been made graver in order to frame charge against the petitioner. So far as injury report of injured Usha Devi, who is mother of the informant, is concerned, the injury sustained by her is simple in nature. There is no allegation of repetition of blow against the petitioner. Petitioner bears criminal antecedent of one case in which he is on bail.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, the argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. Ivth Saran, Chapra in connection with Garkha P.S. Case No. 526 of 2023, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Alok Kumar Pandey, J)

mcverma/-

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