

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35578 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -MUFFASIL District- AURANGABAD

Mritunjay Pandey @ Mritunjay @ Mritunjay Kr. Pandey son of Vijay Kumar Pandey, R/O Village- Srikrishna Nagar, Ahari, P.S.- Town, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. B.M.P Sinha (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 20-08-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 447, 341, 323, 307, 379, 386, 387, 120B of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the informant being the Manager of Ashika Canteen, which was inaugurated recently, where Sanni Kumar, Rahul Kumar and three unknown came variously armed with Hockey stick, danda, cricket bat and pistol, started damaging the furniture and other articles of the canteen and made assault to the informant, staff and customers

of the canteen. It is further alleged that Sanni Kumar fired at the informant, though, the informant did not receive any injury and took out Rs.70,000/- from the cash counter and gold chain of the informant. The accused persons were also made assault to the Guard. It is alleged that on 01.06.2015 in the evening, the petitioner, Piyush Kumar and Rohit Kumar assaulted the Logistic Incharge Praveen Mishra and threatened to kill the informant and others.

It is submitted by learned counsel for the petitioner that actual accusation of assault or ransacking the canteen is not against the petitioner. The petitioner has been roped in the present case since earlier also assault was made for which separate case was lodged.

Considering the fact that the accusations of assault and ransacking the canteen are not alleged against the petitioner, it is case for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Aurangabad Muffasil P.S. Case No. 111 of 2015 pending in the court of learned Chief Judicial Magistrate, Aurangabad. It is expected from the learned court below to dispose of the bail application of the petitioner preferably on the same day.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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