

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52806 of 2016

Arising Out of PS.Case No. -257 Year- 2015 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Shashikant Kumar @ Vijit Kumar @ Bajit Kumar, Son of Devendra Mahto,
Resident of Village-Anantpur via Rahui, P.S. Rahui, P.O. Peshour, District-
Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Sinha

For the Opposite Party/s : Mr. Navin Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 06-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Rahui P.S. Case no. 257 of 2015, registered under Sections 147, 149,
341, 323, 307, 504 and 506 of the Indian Penal Code.

The accusation is that five persons named in the F.I.R.,
including the petitioner, armed with lathi, danda and iron rod reached
at the door of the informant and started abusing to him. At that time,
co-accused Chandan Kumar gave iron rod blow at the head of the
informant with intention to kill him, when wife of the informant Anita
Devi rushed to save her husband then this petitioner and Chandan
Kumar caused injury at the head and wrist of the wife of the informant,
namely, Anita Devi through iron rod. The cause of occurrence is said
to be the old dispute between the parties.



Learned counsel for the petitioner submits that admittedly the petitioner and the informant are the Gotia and due to land dispute occurrence of Marpit took place. The allegation against the petitioner and one Chandan Kumar is that they caused injury to the wife of the informant, but the injuries found on her person are simple in nature. It is further submitted that although petitioner is accused in three other cases, but all the said cases, as detailed in paragraph-3 of the bail application are lodged by family members of informant. It is also submitted that similarly situated co-accused, namely, Sanikant Kumar has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court on 13.04.2016 passed in Criminal Miscellaneous No. 12999 of 2016.

Having regard to the facts and circumstances of the case, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rahui P.S. Case No. 257 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J.)

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