

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58111 of 2015

Arising Out of PS.Case No. -450 Year- 2015 Thana -PHULWARI District- PATNA

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Rakesh Kumar @ Pappu Son of Vimlendra Singh @ Rajendra Singh
resident of Village-Kora, P.S Janipur, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. T.N.Thakur(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 07-01-2016 Heard learned counsel for the petitioner and the

learned A. P.P. for the State.

The petitioner apprehends his arrest in connection
with Phulwarisharif (Janipur) P.S. Case No. 450 of 2015
registered for offences punishable under Sections 341, 323, 325,
379 and 504 of the Indian Penal Code.

The prosecution case, in brief, is that on 29.06.2015
at 2:30 P.M., the informant was going to his house from village
Korra and when he reached near Primary School situated in
village Korra, Rakesh Kumar @ Pappu, the petitioner, surrounded
him and started abusing. On protest, the informant was assaulted
by iron rod by the petitioner due to which he received injury in the
finger of right hand. He was also assaulted on his head by other

accused persons. The petitioner had also taken away Rs. 5,000/- from the pocket of the informant. In the meantime, one Vinay Kumar came, who saw Rakesh Kumar @ Pappu fleeing away. Thereafter, the informant was taken to hospital.

It has been submitted by the counsel for the petitioner that petitioner is innocent and there is no criminal antecedent prior to lodging of the present First Information Report. However, it has been submitted that after institution of the present First Information Report, another First Information Report has been instituted by the son of the informant on 23.08.2015, bearing Phulwarisharif (Janipur) P.S. Case No. 595 of 2015 for the offences under Sections 384, 385 and 504 of the Indian Penal Code in which he has been granted bail by the learned Court below itself. It has further been submitted by the learned counsel for the petitioner that the petitioner is a close relative of the informant, as informant is the brother-in-law of his own brother and due to land dispute regarding ancestral property, false case has been instituted against the petitioner.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of

like amount each to the satisfaction of Miss Shema Eram, learned
Judicial Magistrate 1st Class, Patna in connection with
Phulwarisharif (Janipur) P.S. Case No. 450 of 2015, subject to the
conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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