

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16451 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -RAMKRISHNANAGAR District- PATNA

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Chandan Kumar aged about 20 years, Son of Vishwanath Mahto @ Vishwanath Prasad, resident of Village- Shiv Nagar, Khemnichak, P.S. Ram Krishna Nagar, Dist.- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 21-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Ram Krishna Nagar P.S. Case no. 169 of 2016, registered under Sections 147, 323, 379, 504 and 506 of the Indian Penal Code.

The accusation is that on 07.08.2016, while the informant was returning to his house from the market by his four wheelers and due to traffic congestion informant told petitioner to side his tempo. Thereafter, on the same day in the evening at about 4.00 P.M. informant was returning to his house on the motorcycle then he saw that 10-12 persons were standing in the way and at that time petitioner was coming from his house. The petitioner Chandan Kumar and Chhotu @ Jagnandan asked to other boys to cause assault him. Thereafter, he was assaulted by means of bamboo and fatha kept there



for the purpose of centering. The petitioner and Chhotu caused injury at the head of the informant through bamboo then he become unconscious. At that time, petitioner snatched his golden chain and mobile.

Learned counsel for the petitioner submits that due to hot talk exchanged in course of plying of tempo by the petitioner to the informant and this false case has been lodged. Moreover, no any injury was found at the person of the informant. Further submission is that petitioner has no criminal antecedent.

On the other hand, learned A.P.P. appearing on behalf of the State, while opposing the prayer for anticipatory bail, fairly submits that in para 23 of the case diary, it is stated that no any injury report was furnished by the informant to the I.O. of this case.

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 Judicial Magistrate, 1st Class, Patna in connection with Ram Krishna Nagar P.S. Case No. 169 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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