

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1702 of 2018

Arising Out of PS. Case No.-18 Year-2016 Thana- RUNISAIDPUR District- Sitamarhi

Prabhakar Kumar, S/o Sudhir Kumar Singh @ Sudhir Singh, R/o- Village-
Madhaul Sani, P.O.- Manpur Ratnawali, P.S.- Runnisaidpur, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. SANJAY KUMAR SHARMA

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 452, 341, 323, 307 and 504 of the IPC.

The prosecution case, as per the fardbeyan of Manoj Singh, recorded at S.K.M.C.H., Police Camp is to the effect that 19.11.2015, at 9 PM, the informant was taking dinner at the door of his house, in the meantime, co-accused Randhir Singh, Ranjit Singh, Bikram Kumar and the petitioner, Prabhakar Kumar and 2-3 unknow persons having armed with arms and other weapons came and asked whereabouts the son of the informant, Munnu Kumar when the informant conveyed to them that his son is not in the house, then all the accused persons



entered into the courtyard of the informant and searched the son of the informant but they did not find him, thereafter, they threatened to kill him as to why he deposed in a case.

It is further alleged that the miscreants while leaving the place of informant, assaulted the informant with iron rod causing injury on his head, when the informant, with the help of villagers, was taken to S.K.M.C.H., Muzaffarpur for treatment.

It is submitted by learned counsel for the petitioner that accusation of assault is omnibus and general. For the occurrence of 19.11.2015, the FIR was lodged on 11.01.2016. Moreover, the injury report of the informant suggests that he received only one simple injury. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that accusation of assault is also alleged against the petitioner.

Considering the fact that specific accusation of making indiscriminate assault is alleged against six persons, whereas the informant received only one simple injury, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 18 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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