

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39471 of 2018

Arising Out of PS. Case No.-33 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Manish Kumar @ Manish Kumar Singh, aged about 19 years, Son of Sri Gauri Singh @ Gaudi Singh, Resident of Village- Bakan, P.S.- Phesar, Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar, Adv.

For the Opposite Party/s : Mr. Uma Shankar Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2018 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered/for the offences punishable under Sections 341/447/504/323/308/324/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Subhash Kumar, recorded by S.I. Md. Talma, Town P.S. on 24.01.2018 at 08.30 P.M., to the effect that on 24.01.2018 at 7.00 P.M, while the informant was sitting in front of the door of his house, in the meantime, all the accused persons, including the petitioner, came and started abusing him. On protest being made, co-accused Mithun Kumar assaulted with 'farsa', causing



injury on the head of the informant. As a result, the informant fell down on the ground, thereafter, all the accused persons assaulted the informant with lathi, danda and iron rod.

It is submitted by learned counsel for the petitioner that the accusation of assault is omnibus and general against all the accused persons except co-accused Mithun Kumar, who is alleged to have assaulted the informant with 'farsa'. A statement has been made in paragraph no.10 of the petition that all the injuries are simple in nature. Further statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR.

Considering the specific accusation of assault against the co-accused, Mithun Kumar, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned CJM, Aurangabad, in connection with



Aurangabad Nagar P.S. Case No. 33/2018, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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