

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2101 of 2018**

Arising Out of PS. Case No.-219 Year-2017 Thana- DULHIN BAZAR District- Patna

Vikash Kumar Son of Brijnandan Singh Resident of Village-Rakasiya, P.S.-  
Dulhin Bazar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. SRI UPENDRA KUMAR

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      16-01-2018      Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 341,323,325 and 353/34 of the IPC.

The prosecution case as per the written report of Rakesh Kumar, Circle Officer, Dulhin Bazar, submitted to the SHO of Dulhin Bazar Police station is to the effect that when the informant went to the Revenue Clerk to examine Jamabandi, in the meantime, Santosh Kumar, husband of Prakhand Pramukh came and started assaulting the informant. It is alleged against the petitioner being driver of Santosh Kumar that he also assaulted the informant with intention to kill him, as a result, the informant received injury and thereby, the petitioner and Santosh Kumar obstructed the informant being Circle Officer to



perform his official duty.

It is submitted by learned counsel for the petitioner that Rekha Devi, wife of the co accused Santosh was Prakhanda Pramukh of Dulhin Bazar. She intervened in the illegal activities of the informant when the informant became furious and misbehaved and assaulted her for which Rekha Devi lodged Dulhin Bazar P.S. Case No. 220 of 2017 with accusation under sections 341,323,354 and 504/34 of the IPC. It is further submitted that on account of said incident the case was instituted though the case of Rekha was subsequent to the present case and after institution of the present case the informant himself has been apprehended in Vigilance Case No. 112 of 2017 instituted under sections 7, 13(2) and 13(1) of the Prevention of Corruption Act.

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

Considering the fact that thrust of accusation of assault is against co-accused Santosh Kumar, husband of the Prakhanda Pramukh who has been granted anticipatory bail vide Cr. Misc. No.61144 of 2017 and the petitioner having no criminal antecedent, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12



weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM – III, Danapur in connection with Dulhin Bazar P.S. Case No. 219 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

anil/-

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