

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47877 of 2019

Arising Out of PS. Case No.-218 Year-2019 Thana- HISUWA District- Nawada

1. RAJIV KUMAR S/o Late Ramanand Singh Resident of Village- Dhamol, P.S- Hisua, District- Nawadah.
2. Rahul Kumar S/o ate Ramanand Singh Resident of Village- Dhamol, P.S- Hisua, District- Nawadah.
3. Chandan Singh @ Pathar S/o Ramashray Singh Resident of Village- Dhamol, P.S- Hisua, District- Nawadah.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307 and 379/34 of the IPC.

The prosecution case is that the informant being the Manager of Jay Mata Di Enterprises, in whose favour, sand ghat situated at Hisua, Beldariya has been settled, was going to Nawada from Hisua when he saw a tractor loaded with sand coming from the sand ghat settled in favour of the informant and when the informant demanded the challan, the driver of the



alleged tractor started fleeing away and when the informant chased him, six accused persons including the petitioners came on two motorcycles and started assaulting the informant with iron rod. It is specifically alleged that petitioner no.1, Rajeev Kumar assaulted the informant on his head with an iron rod, whereas petitioner no.2, Rahul Kumar and petitioner no.3, Chandan Singh @ Pathal Singh and three other accused persons assaulted the informant with Belcha. It is further alleged that petitioner no.1, Rahul Kumar snatched Rs. 36,000/- from the informant whereas petitioner no.3, Chandan Singh @ Pathal Singh snatched a gold chain from the neck of the informant.

It is submitted by learned counsel for the petitioners that the petitioners have maliciously been roped in the present case due to political rivalry. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the nature of accusation, being not corroborated by any medical opinion, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above



named petitioners 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) each with two sureties of like amount each to the satisfaction of learned CJM, Nawada in connection with Hisua P.S. Case No. 218 of 2019, 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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