

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56352 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- EKANGARSARAI District- Nalanda

RAJIV KUMAR Son of Late Birmani Yadav Resident of Village-Mojahidpur,
P.S.-Ekangarsarai, District-Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rewti Kant Raman

For the Opposite Party/s : Mr.Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Ekangar Sarai P.S. Case No.68 of 2019 registered under Sections
341, 323, 325, 307, 379 and 504/34 of the Indian Penal Code.

The accusation is that on 20.03.2019 at about 09.45 P.M.,
at the time of Holika Dahan, the informant proceeded from his
village and when reached near the Poultry Farm, then this petitioner
and one Hari Kumar along with 5-6 others having iron rod in their
hand surrounded him and started to abuse. At that time, Hari Kumar
caused injury through iron rod at the head of the informant due to
which he fell down on the ground. In the meantime, this petitioner
gave iron rod blow at the head of the informant and when the
informant tried to save his head through his right hand, he sustained



fracture injury in his two fingers of right hand. Thereafter, Hari Kumar caused injury in the middle finger of the informant through iron rod. In that course, this petitioner took the gold locket of the informant and fled away.

Learned counsel for the petitioner submits that at the time of Holika Dahan, in the late evening, the occurrence of “Maar-Peet” took place between the parties in which the informant fell down and sustained slightest injury in his fingers but due to ulterior motive, the informant has lodged the present case. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Hilsa, in connection with Ekangar Sarai P.S. Case No.68 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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