

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61403 of 2019

Arising Out of PS. Case No.-293 Year-2019 Thana- GOPALGANJ TOWN District-
Gopalganj

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MUKESH KUMAR Son of Ramchandra Ram Resident of Mohalla - Chamar
Toli, Thawe Road, Vmart, P.S.- Thawe, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-10-2019 Heard both sides.

The petitioner apprehends his arrest in Gopalganj P.S.
Case No.293 of 2019 registered under Sections 342, 307, 379,
302, 120B/34 of the Indian Penal Code.

The informant alleged that while he was coming to
see his brother near Rajendra Nagar bus stand, he saw at about
12.30 in the night, 10-12 persons were assaulting his brother
with belt. The informant identified Suraj Kumar, Chandan Ram,
Mukesh Kumar(the petitioner), Rahul Kumar, Sonu Kumar,
Basant Kumar, Piyan Kumar and Raju Kumar and alleged that
Chandan Ram, Suraj Kumar and others indiscriminately
assaulted his brother with belt and knife. When the informant
raised alarm, the accused persons also assaulted the informant.



The informant took away his brother for treatment but his brother succumbed to the injury.

The learned counsel for the petitioner submits that no specific allegation of assault is made against the petitioner. During the course of investigation, no tangible material has been collected against the petitioner but it appears that occurrence took place in the dread-night near bus stand. The informant is an eye witness of the occurrence and the petitioner and other accused persons assaulted the brother of the informant with belt and knife and when the informant raised alarm, accused persons also assaulted the informant. The brother of the informant succumbed to injury caused by the petitioner and other accused persons.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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