

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62848 of 2019

Arising Out of PS. Case No.-323 Year-2019 Thana- NATHNAGAR District- Bhagalpur

RAJESH KUMAR, age 31 years (Male), S/o Parshuram Tanti, R/o village-
Mahamadpur, Sitla Asthan, P.S.- Madhusudanpur, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bipin Kumar, Advocate.

For the Opposite Party : Mr.Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 448, 341, 323, 324, 307/34 of the IPC
and 27 of the Arms Act.

The prosecution story, in brief, is that on 04.07.2019
accused Parsuram Tanti open fire on the house of the informant
and thereafter he pointed pistol on the temporal region of his
wife. Rajesh Kumar (petitioner) assaulted with Garasa to his
wife causing nose and eye injuries. Sonu Tanti assaulted with
rod to his wife causing head injury. When he went to rescue his
wife, Rajesh Kumar, Gore Tanti and Ashutosh Kumar assaulted



with rod on the informant causing head injury. Prashant Jha also fired on him which did not hit. Thereafter, again, accused assaulted with Lathi, Danda, rod and butt of the revolver to his wife causing head injury. The informant and his wife were admitted in the Hospital.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 05.07.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is case and counter case between the parties. Free fight is alleged to have taken place between the parties. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- Ist, Bhagalpur, in connection with Nathnagar (Madhusudanpur)



P.S. Case No. 323 of 2019.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

