

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64353 of 2019

Arising Out of PS. Case No.-478 Year-2019 Thana- GARKHA District- Saran

Mantu Kumar @ Mantu Rai, Son of Yogendra Rai, Resident of Village-
Mubarakpur, P.S.-Garkha in the District Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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

ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Gorkha P.S. Case No. 478 of 2019 registered under Sections 341,
323, 324, 307, 379 and 504/34 of the Indian Penal Code.

The accusation is that in the evening of 30.07.2019,
informant, Mukesh Rai, was returning to his house from clinic but in
the way, petitioner along with Babban Rai and Amarjeet Rai having
iron rod and Dav surrounded him and on the order of petitioner,
Amarjeet Rai caught hold his waist and petitioner gave Dav blow
causing injury at his head and nose. On raising alarm, his uncle
Kameshwar Rai and Golu Kumar came to save him then they were
assaulted by Baban Rai, Jitendra Rai, Yogendra Rai and Bijul Rai
through iron rod and Dav. At that time, petitioner snatched gold chain



from his neck and Baban Rai took cash of Rs.5,000/- from his pocket. In that course, Golu Kuamr sustained serious injury.

Learned counsel for the petitioner submits that occurrence took place due to some dispute, in which, petitioner's side also sustained injury, regarding which, Gorkha P.S. Case No. 477 of 2019 is instituted on the basis of Fradbeyan of co-accused, Bijuli Rai. Moreover, the injuries, as found on the person of the injured, are simple in nature. Further submission is that petitioner has no criminal antecedent.

On the other hand, learned counsel for the informant opposed the prayer for pre-arrest bail of the petitioner with submission that the injuries, as found on the person of the informant and others, received on the vital part of the injured.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned A.C.J.M.-XIV, Saran at Chapra, in connection with Gorkha P.S. Case No. 478 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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