

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64285 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- NARHATT District- Nawada

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1. RAHUL KUMAR, aged about 21 years, Male, Son of Ashok Yadav, Resident of Village - Taropur, P.S.- Narhat, Distt - Nawada
 2. Niraj Kumar, aged about 19 years, Male, Son of Sanjay Yadav, Resident of Village - Taropur, P.S.- Narhat, Distt – Nawada ... Petitioners

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioners : Mr. Sheo Kumar Prasad, Adv.
For the Opposite Party : Mr. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Narhat P.S. Case No. 148 of 2019 registered under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that in the evening of 30.05.2019 Deepak Kumar, son of the informant, was at his shop, at that time, Sanjay Yadav, Sharavan Yadav and Mantu Kumar came there and started to abuse asking to compromise the case. Deepak Kumar made protest, then, on the order of Sanjay Yadav, Mantu Yadav shot fire, which slightly touched the forehead of Deepak Kumar. He, again, caused assault on his head through butt of the pistol. On receiving the information about



the incident, the informant, Ganesh Prasad, along family members, reached at the shop while his old mother stayed at the house. Thereafter, Niraj Kumar, petitioner no. 2, Rahul Kumar, petitioner no. 1 and Ashok Yadav started to abuse and caused assault to the mother of the informant and moved from there making indiscriminate firing. Petitioners and Ashok Yadav also pelted stones at the informant and others.

Submission is that petitioners are not the assailants of Deepak Kumar, son of the informant. More over, two injuries, as found at his person, are of simple in nature, caused by hard and blunt substance and no injury was found on the person of the mother of the informant while allegation against the petitioners is to cause injury to the mother of the informant. Due to grudge and enmity, both the petitioners have also been implicated in this case falsely.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Narhat P.S. Case No. 148 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, VI,



Nawada, or the successor Court subject to the conditions as laid
down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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