

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70644 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- WAJIRGANJ District- Gaya

1. KISHORI PRASAD Son of Dashrth Mahto Resident of Village- Jafara, P.S.- Wazirganj, District- Gaya.
2. Srikant Kumar Son of Kapil Prasad Kushwaha Resident of Village- Jafara, P.S.- Wazirganj, District- Gaya.
3. Niranjana Kumar Son of Saryu Prasad Kushwaha Resident of Village- Jafara, P.S.- Wazirganj, District- Gaya.
4. Amritesh Kumar @ Shekhar Kumar Son of Kishori Prasad Kushwaha Resident of Village- Jafara, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vishwa Ranjan Choudhary
For the State	:	Mr. Binod Kumar
For the Informant	:	Mr. Arvind Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-12-2019 Heard the learned counsel for the petitioners, the learned APP and the learned counsel for the informant.

The petitioners apprehend their arrest in Wazirganj P.S. case No. 83/2019 registered under Section 143, 341, 323, 308, 379, 504 of the IPC.

The informant named all the four petitioners along with other accused persons and alleged that they all, having armed with different weapons, came and began to assault the informant and his family members. The petitioner No.4, Amritesh Kumar @ Shekhar Kumar, is alleged to have assaulted



the informant with iron rod on her hand. When Pintu Kumar, son of the informant, came to save, Awadhesh Kumar and Satish Kumar assaulted her son with iron rod on his head. In the next day also the accused persons assaulted the informant and others.

The learned counsel for the petitioners submits that there is no specific allegation against petitioner No.1, Kishori Prasad, petitioner No. 2. Srikant Kumar and petitioner No.3. Niranjana Kumar. The petitioner No.4, Amrutesh Kumar @ Shekhar Kumar is alleged to have assaulted the informant with iron rod on her hand and hand of informant was found fractured and nature of injury is grievous. It is further submitted that Awadhesh Kumar and Satish Kumar, who are alleged to have assaulted Pintu Kumar, son of informant, are not petitioners here. Pintu Kumar also got grievous injuries

Considering the facts that there is no specific allegation of assault against petitioner No.1, Kishori Prasad, petitioner No.2, SriKant Kumar and petitioner No.3, Niranjana Kumar, the petitioners No. 1 to 3, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the



like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya in connection with Wazirganj P.S. case No. 83/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as case of petitioner No.4, Amritesh Kumar @ Shekhar Kumar, is concerned, there is specific allegation against him and on account of assault made by petitioner No.4 the informant got grievous injury on her hand.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner No.4, Amritesh Kumar @ Shekhar Kumar, on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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