

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9864 of 2020

Arising Out of PS. Case No.-777 Year-2019 Thana- PHULWARISHARIF District- Patna

Sanni Kumar S/o Ramesh Rai Resident of Village- Bodhgawan, P.O.- Neura,
P.S.- Phulwarisharif, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 308, 379, 504 and 506/34 of IPC.

The prosecution case, as per the written report of Manoj Kumar submitted to the Station House Officer, Phulwarisharif Police Station, is to the effect that on 10.08.2019 at about 07:00 P.M., when the informant was returning from Naubatpur Market, all the FIR named accused persons including the petitioner attacked on him and assaulted the informant and when the nephew of the informant, Vikky Kumar came to rescue, then he was also assaulted by the petitioner with the butt of the pistol. It is further alleged that the co-accused Manoj Kumar snatched cash amount of Rs. 1400/- and jewellery worth



Rs. 1200/-, whereas the petitioner Vicky Kumar snatched a gold chain from the informant.

It is submitted by the learned counsel for the petitioner that in the background of earlier land dispute, the accusation has been levelled against the petitioner. There is no injury report either of the informant or his nephew on the record to corroborate the accusation of assault. A statement is made in paragraph no. 3 that petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in FIR with specific accusation.

Considering the nature of the accusation and the fact that there is no injury report of the informant's side on record and the accusation being levelled in the background of earlier land dispute, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub Judge IX cum ACJM, Patna, in connection with Phulwarisharif P.S. Case No. 777 of 2019



subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Dinesh Kumar Singh, J.)

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