

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14470 of 2020

Arising Out of PS. Case No.-127 Year-2019 Thana- KAJRA District- Lakhisarai

RAJESH KUMAR @ RAJESH KUMAR RAJAK Son of Sri Chando Rajak
Resident of Village-Uren, P.S.-Kajra, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 30-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kajra P.S. Case No. 127 of 2019 for the offence registered under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

The case of the prosecution in brief is that on 16.12.2019 at about 14:00 hours the informant was constructing the wall of his house when the petitioner and one another co-accused person had arrived at the said plot and abused the informant and



on protest, they had assaulted the informant, however, upon an alarm being raised, the informant's son namely Amit Kumar had arrived there and then the petitioner is stated to have assaulted the son of the informant with iron rod resulting in him sustaining head injury.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted by referring to the injury report of the said injured person namely Amit Kumar annexed as Annexure-3 to the present petition that all the injuries found on the person of the said injured Amit Kumar have been found to be simple in nature by the doctor.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner and taking into account the materials available on record apart from the fact that the petitioner is having a clean antecedent and injuries sustained by the son of the informant, attributable to the petitioner, have been found to be simple in nature, I deem it fit and proper to admit the petitioner to the



privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four 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 learned Judicial Magistrate-1st Class, Lakhisarai in connection with Kajra P.S. Case No. 127 of 2019, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure, and further subject to the learned court below verifying as to whether the injuries inflicted on the person of the son of the informant is simple in nature or not.

(Mohit Kumar Shah, J)

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