

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14767 of 2020

Arising Out of PS. Case No.-115 Year-2019 Thana- DHARHARA District- Munger

NITISH KUMAR, Son of Pankaj Mahto @ Pankaj Kumar, Resident of
Village - Maharna, P.S.- Dharhara, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341/307/354(B)/379/504/506/509/34 of the Indian Penal Code.

Prosecution case as per written report of the informant on 18.05.2019 his sister Richa Kumari was going to bring some articles from shop and when she reached some distance from the house, petitioner started pulling her by hand and taken her to lonely place and when his sister object then he threw her on the ground and tried to outrage her modesty and on protest by his sister then he assaulted her. When informant heard the sound of his sister then he alongwith his mother and sister went there to save her then petitioner called out accused persons upon which



all accused persons including petitioner came there armed with lathi, danda and iron rod and started assaulting him, his sister and mother. Accused Pankaj Mahto assaulted him with iron rod as a result which he sustained head injury. The petitioner also assaulted his sister with lathi causing injury and he also pressed her neck with intention to kill her due to which she became unconscious.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner and informant both are co-villagers. There are running enmity between them for long time. The petitioner is student and he is preparing the competitive examination. The doctor has examined the victim Richa Kumari and found injuries are simple in nature is at Annexure-2. Charge-sheet has been submitted in this case. There is no allegation of tempering with the evidence. The petitioner has got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the



satisfaction of the learned Judicial Magistrate-1st Class, Munger
in connection with Dharhara P.S. Case No. 115 of 2019, subject
to the conditions as laid down under Section 438 (2) of the Code
of Criminal Procedure.

(Anjani Kumar Sharan, J)

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