

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15672 of 2020

Arising Out of PS. Case No.-110 Year-2019 Thana- CHIKSAUR District- Nalanda

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AMIT KUMAR @ AMIT PASWAN @ BAIJU PASWAN, aged about 30 years (Male), S/o Kaushal Paswan, Resident of Village- Barhi Bigha, P.S.- Chiksaura, Distt- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Vibhuti Ranjan Sonvadra, Advocate.
For the State	:	Mr. Anant Kumar 1, A.P.P.
For the informant	:	Mr. Shyamal Prakash, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsels for the parties.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 307, 504 and 506/34 of the IPC.

The prosecution story, in brief, is that on 15.11.2019 at about 3.00 P.M., all accused persons came at the house of the informant and Amit Kumar (petitioner) assaulted his niece Sweety Kumari, by means of Iron rod, due to which, blood started oozing and she fell down and co-accused Rohit Paswan



and Kaushal Paswan assaulted his nephew, namely, Bishnu Paswan and informant by means of Lathi due to which, he sustained injury on his hand. They also assaulted his family and Kaushal Paswan taking pistol in his hand threatened to kill them.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Nature of injury is said to be simple. No offence under Section 307 of the I.P.C. is made out. Rests of the offences are triable by the Magistrate.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned A.C.J.M.-I, Hilsa, Nalanda, in connection with Chiksaura P.S. Case No. 110 of 2019, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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