

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22223 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- RAJGIR District- Nalanda

1. Manish Kumar, aged about 28 years, Male, S/o Virju Yadav, Resident of Village- Near Shiwani Hall Rajgir, P.S.- Rajgir, District- Nalanda.
2. Anish Kumar, aged about 24 years, Male, S/o Virju Yadav, Resident of Village- Near Shiwani Hall Rajgir, P.S.- Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.A,G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

- 3 17-09-2020 Heard learned counsel for the petitioners and Mr. Sanjay Kumar, learned Additional P.P. through video conferencing.

The petitioners apprehend their arrest in Rajgir P.S. Case No.35 of 2020, registered under Sections 341, 323, 307, 379 and 34 of the Indian Penal Code and 27 of the Arms Act.

The informant, Raushan Kumar alleged that on 27.01.2020 at about 7 P.M. while he was going to give money in Shravan Kirana Store after closing his shop and when he reached near Har Har Mahadeo tea stall, Neeraj Kumar, Manish Kumar, petitioner no.1 and Anish Kumar, petitioner no.2 surrounded him and started assaulting him with fists and slaps. Manish Kumar assaulted him with stone on his nose. Neeraj Kumar fired but the same did not hit him. Neeraj Kumar assaulted him with butt of pistol in his eye. Anish Kumar indiscriminately assaulted him. It is further alleged that



Rs.2200/- was snatched from him.

Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in the case. Neeraj Kumar is a news reporter. No offence under Section 307 of the Indian Penal Code is made out. It is further submitted that the informant alleged that he was indiscriminately assaulted by the accused persons but from perusal of the injury report, it would appear that one bruise and one abrasion was found and both the injuries are simple in nature.

Taking into consideration the facts aforesaid, nature of allegations made against the petitioners and the fact that the informant got one bruise and one abrasion injury although he claimed to have been indiscriminately assaulted by the petitioners, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Biharsharif, District Nalanda in connection with Rajgir P.S. Case No.35 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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