

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.81628 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- NOORSARAI District- Nalanda

1. DHARAMVEER KUMAR, aged about 28 years, Male, Son of Pravesh Mahto, Resident of Village - Prahlad Nagar, P.S.- Noorsarai, District- Nalanda
2. Pankaj Kumar, aged about 25 years, Male, Son of Pravesh Kumar, Resident of Village - Prahlad Nagar, P.S.- Noorsarai, District- Nalanda

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Ranvijay Singh, Adv.

For the Opposite Party : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 19-06-2020

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state through video conferencing.

The petitioners seek pre-arrest bail in connection with Noorsarai P.S. Case No. 187 of 2019, registered under Sections 341, 323, 308 and 504/34 of the Indian Penal Code.

The accusation is that on 23.06.2019 at about 10.30 a.m., the informant, Mannu Mahto, was in the way to home. On hearing hullah he reached at his door and saw that Dharamveer Kumar (petitioner no. 1), Nitish Kumar, Pankaj Kumar (petitioner no. 2), Pravesh Kumar, Tarkeshwari Devi, Rina Devi and Ranjani Devi were assaulting to his son, then, informant tried to save his son. At that time, Pankaj Kumar (petitioner no. 2) caused injury through the butt of pistol at his head, then, Dharamveer Kumar (petitioner no. 1) also caused injury through lathi, he became unconscious and fell down, neighbour rushed to save the informant. Cause of occurrence is that his grand-son, aged about 5 years, was playing over the sand stored by



Dharamveer Kumar (petitioner no. 1) and Nitish Kumar forbidding him why he is playing there.

Submission is that in fact, at the time of quarrel, due to dispute in between the children of both family, informant fell down and sustained two injuries, as detailed in paragraph 13 of the case diary. Out of two injuries, one injury, which is on occipital region, is simple in nature and opinion of the other injury, swelling over right elbow, is kept reserve. Both the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Noorsarai P.S. Case No. 187 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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