

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86783 of 2019

Arising Out of PS. Case No.-248 Year-2018 Thana- EKANGARSARAI District- Nalanda

Rajesh Kumar, Son of Bijendra Prasad Resident of Village- Mahuabag, P.S.-
Ekangarsarai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 504 and 379 of the Indian Penal Code.

The prosecution case as per the written report of Ranbir Kumar Singh submitted to the Station House Officer of Ekangarsarai Police Station, is to the effect that the five accused persons including the petitioner came at the door of the informant and started abusing. On protest being made, they assaulted the informant with lathi and spear. It is alleged that co-accused Vishwamohan Prasad broke oven of the informant and when the informant's wife, Malti Devi came to rescue the informant then she was assaulted by Vishwamohan Prasad with



lathi causing fracture injury on the left hand of the wife of the informant, when the daughter of the informant came to rescue then she was assaulted by co-accused Pankanj Kumar @ Ankit causing scratch injury and when the nephew of the informant, Krishnamohan Azad came to rescue then he was also assaulted with spear by co-accused Sidhu. It is also alleged that chain of nephew and a cash amount of Rs.20,000/- of the informant was snatched by co-accused Vishwamohan Prasad.

It is submitted by learned counsel for the petitioner that the accusation of assault has not been levelled against the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that co-accused Vishwamohan Prasad, Pankaj Kumar @ Ankit and Sidhu are alleged to have assaulted the wife, daughter and nephew of the informant and accusation not being specific against the petitioner, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a



period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Hilsa, Nalanda in connection with Ekangarsarai P.S. Case No. 248 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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