

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17177 of 2021**

Arising Out of PS. Case No.-250 Year-2020 Thana- MAHARAJGANJ District- Siwan

GOLU KUMAR, Male, 26 years, Son of Gopaljee Prasad, Resident of Village
- Purani Bazar, P.S.- Maharajganj, Distt.- Siwan, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kant, Advocate.
For the Opposite Party : Mr. Arvind Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 16-07-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 342, 307, 323, 324, 326,
338, 504 and 506/34 of the I.P.C.

The prosecution story, in brief, is that on 11.09.2020
at about 2.00 P.M., the informant's neighbours, namely,
Pradeep Kumar, Ujjawal Kumar, Sunita Devi, Golu Kumar
(petitioner) and Shankar Kumar were making some construction
on the road in front of the house of the informant which was
protested by him, as his wife Guriya Devi is the Ward Member,



then all the accused became annoyed and started abusing. In the meantime, Sunita Devi gave Sword to Satyam Kumar and rod to Pradeep Kumar and ordered to kill then both assaulted his father by Sword and rod, as a result of which, his father sustained cut injury on the head and blood started oozing out, when the informant came in rescue, Golu Kumar (petitioner) and Shankar Kumar caught hold the informant, then Ujjawal Kumar pierced Chaku blow in the stomach thrice, as a result of which, he fell down. It is further alleged that Sunita Devi pelted brick upon the father of the informant that caused injury on his eye and on shout, villagers gathered and they brought the injured to the Maharajganj Government Hospital, from where he was referred to Siwan after that P.M.C.H., Patna for treatment.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. As per allegation, no injury is said to have been caused by the petitioner to the victim. There is no allegation of assault alleged against the petitioner.

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



Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned C.J.M. Siwan, in connection with Maharajganj P.S. Case No. 250/2020, 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) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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