

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20808 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- LAXMIPUR District- Jamui

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Anand Kumar Singh @ Anand Raj, Son of Bijay Kumar Singh, Residence of
Village - Ratanpur, P.S. - Gidhaur (Laxmipur), Ratanpur, District - Jamui,
Bihar - 811305

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamlendra Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Bilash Raman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-08-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Laxmipur (Gidhaur) P.S. Case No. 125 of 2020, registered
under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian
Penal Code.

The accusation is that in the evening of 03.04.2020,
informant, Nandani Devi, boarding on motorcycle, which was
driven by her son, Rajesh Kumar Singh, proceeded from her



house to the Clinic for her checkup but in the way, when she reached at the door of Bijay Singh then Bijay Singh called his both sons, namely, Anand Kumar (petitioner) and Anupam Kumar along with his wife, Anuradha Devi and thereafter, all surrounded her and her son. At that time, on the order of Anuradha Devi, Anand Kumar (petitioner) having spade and iron rod in his hands started to cause assault to her son, Rajesh Kumar Singh. In the meantime, Anuradha Devi assaulted to the informant through fist and slaps and snatched her gold chain. On hearing Hullah, Dharmendra Kumar Singh, Bipin Kumar Singh and Kumar Rakesh Singh reached there and saved her and her son.

Learned counsel for the petitioner submits that, in fact, petitioner and other co-accused are co-villagers of the informant and due to some dispute, occurrence of *Marpit* took place, in which, petitioner's side also sustained injury, regarding which, Laxmipur (Gidhaur) P.S. Case No. 124 of 2020 is instituted against the informant and others due to that reason, only to give undue pressure, the informant lodged the present case implicating the petitioner, who is the student. Further submission is that petitioner has to appear in JEE main examination, which is going to be held on 31.08.2021. Further



submission is that while it is alleged in the FIR that this petitioner having spade and iron rod in his hand and cause assault to the son of the informant but it is improbable that a person can take two instruments in his hands and caused assault. Further submission is that only two injuries were found on the person of the son of the informant, out of which, one is grievous in nature. Further submission is that petitioner, who is student, has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Jamui, in connection with Laxmipur (Gidhaur) P.S. Case No. 125 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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