

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33148 of 2020

Arising Out of PS. Case No.-505 Year-2018 Thana- RUPASPUR District- Patna

SUDARSHAN KUMAR, aged about 26 years (M), S/o Vishnu Sao, Resident of Raja Bazar, Samanpura, Madrsa Gali, P.S.- Shashtri Nagar, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Farooque Afzal, Advocate.

For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 323, 325, 307 and 379/34 of the I.P.C.

The prosecution story, in brief, is that on 11.12.2018, 5-10 miscreants entered into the house of the informant and assaulted and misbehaved with him. They also looted away the house hold article, cash Rs. 10,000/- and took two Mobile Phones kept on the Dining Table and threatened to him. They brutally assaulted to his son. He identified the miscreants as his tenants Sudarshan Kumar (petitioner) and Prakash Kumar.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. Nature of injury is said to be simple. No deadly weapon is said to have been used in course of occurrence. Hence, no offence under Section 307 of the I.P.C. is made out in the present.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-2nd, Danapur, Patna, in connection with Rupaspur P.S. Case No. 505/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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