

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33288 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- CHANAN District- Lakhisarai

1. DHAMRENDRA KUMAR, S/o Kaleshwar Saw, Resident of Village-Teterhat, P.S.-Teterhat, District-Lakhisarai
2. Rajesh Manjhi, S/o Karu Manjhi, Resident of Village-Teterhat, P.S.-Teterhat, District-Lakhisarai
3. Ashok Kumar, S/o Late Sohray Saw, Resident of Village-Teterhat, P.S.-Teterhat, District-Lakhisarai
4. Arjun Kumar, S/o Late Sohray Saw, Resident of Village-Teterhat, P.S.-Teterhat, District-Lakhisarai
5. Karu Kumar @ Dipak Kumar @ Karu Kumar Radhe D.J., S/o Naresh Saw, Resident of Village-Teterhat, P.S.-Teterhat, District-Lakhisarai

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Manoj Kumar, Adv.

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-03-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 07.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

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

The petitioners seek pre-arrest bail in connection with Chanand P.S. Case No. 8 of 2020 registered under Sections 341, 323, 379 and 307/34 of the Indian Penal Code.

The accusation is that in the evening of 01.02.2020



the informant, Ranjit Kumar, along with his friend, was returning to his house from entertaining fair. In the way near Malya bridge, three persons stopped his motorcycle and started to misbehave and snatched articles. When, informant, Ranjit Kumar, made protest, then, they showed the arm and iron rod and forcibly took cash of Rs.26,100/- from his pocket. In the meantime, a vehicle passed from behind, then, in the head light of the vehicle he identified his villagers Ashok Kumar (petitioner no. 3), Dharmendra Kumar (petitioner no. 2) and Rajesh Manjhi (petitioner no. 2) of his village, then, he threatened that on snatching money where they will go. In the meantime, they called to Arjun Kumar (petitioner no. 4) and Karu Kumar (petitioner no. 5), who came with rod and and caused injury at his head through hard and blunt substance. Thereafter, they moved from there, then, his friend carried him at Sadar Hospital, Lakhisarai, and informed to his family members.

Submission is that in fact, informant in course of returning from entertaining after seeing fair in the night was assaulted by unknown due to misbehaviour at the hand of the informant, but, with ulterior motive taking advantage of receiving the injury, the informant implicated the petitioners,



who are co-villagers of the informant. More so, only three injuries were found in which two are simple in nature and injury no. 1 is swelling and pain at left fore arm including elbow and in x-ray fracture was found.

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 Chanand P.S. Case No. 8 of 2020 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 Additional Chief Judicial Magistrate, I, Lakhisarai, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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