

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44420 of 2021

Arising Out of PS. Case No.-608 Year-2020 Thana- MASAUDHI District- Patna

CHANDAN KUMAR @ BANTI, aged about 29 years, Gender-Male, Son of
Javahar Prasad, Resident of Village - Depkulapar, P.S.- Dhanarua, District -
Patna, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Prashant Kumar, Advocate.
For the Opposite Party : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2021 A Mentioning Slip has been filed on 01.09.2021 by

learned counsel for the petitioner, let it be kept on the record,

stating therein that the petitioner is suffering from liver ailment

and he needs to be treated at the earliest. Hence, he prays that

this case may be taken up out of turn.

Considering the grounds mentioned in the Mentioning
Slip, this case is taken up out of turn.

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 connection with Masaudhi P.S. Case No. 608 of 2020 for the offence registered under Sections 147, 148, 149, 323, 307, 324, 354, 354(B), 379, 427, 448, 504, 506 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 01.10.2020 at about 3.00 P.M. in the day, while the informant was inside her house alongwith other family members, five named accused persons alongwith 15 unknown persons suddenly entered her house and started abusing her husband Manish Kumar and her father-in-law Prayag Singh and assaulted with Iron rod on the head of her husband Manish Kumar. Her husband was also stabbed on his shoulder and hand from the back. While Chandan Kumar alias Banti (petitioner) allegedly attempted to assault the informant's husband, her father-in-law intervened due to which, he received injury on his hand from the Iron rod. When the informant raised hulla, the said Chandan Kumar alias Banti (petitioner) snatched away the jewellery and attempted to disrobe and molest her. The accused persons also assaulted the children of the informant, looted money and destroyed several household articles. While leaving, the accused persons fired



twice which closely went passed the ear of the informant's husband. Accused persons also took Rs. 2,20,000/- from the *Diwan Palang* of the informant.

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. There is case and counter case between the parties. There is admitted land dispute between the parties.

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 Chief Judicial Magistrate, Masaudhi, Patna, in connection with Masaudhi P.S. Case No. 608 of 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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