

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38915 of 2020**

Arising Out of PS. Case No.-266 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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MRITUNJAY KUMAR PODDAR @ PANKAJ @ MRITUNJAY KUMAR
S/o Arvind Poddar Resident of Hal Mokam Chack Almo, Neerpur, P.S. -
Muffasil (Samastipur), District – Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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

ORAL ORDER

2 12-07-2021 As prayed for, let the learned counsel appearing for

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

vide its notes dated 21.12.2020, within four weeks of starting of

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 Muffasil (Samastipur) P.S. Case no. 266 of 2020,
registered under Sections 147, 148, 149, 307, 323, 341, 379,
504 and 506 of the Indian Penal Code.

The accusation is that on 26.06.2020, at about
10.00 A.M., Chandrika Singh, father of informant Nitish
Kumar Singh was going to his Poultry farm. In the way, at the



boarder of the two villages, some construction was going, on which father of informant made protest then ten persons named in the F.I.R., including the petitioner, having Lathi, Danda, iron-rod in their hands came there and surrounded him. At that time, Mritunjay Kumar Poddar (Petitioner) gave iron rod blow at his head causing blood oozing injury, Rakesh Kumar Poddar caused injury through butt of the pistol. At that time, petitioner snatched cash of Rs. 50,000/- from the pocket of his father, whereas, Gaurav Kumar Poddar snatched gold chain, worth of Rs. 80,000/-.

Learned counsel for the petitioner submits that, in fact, at the time of occurrence, the petitioner and others were erecting house, at that time, dispute was created by the informant and his father due to which occurrence of Marpit took place in which petitioner's side also sustained injury regarding which Muffasil P.S. Case No. 267 of 2020 was also instituted on 26.06.2020 for the offence under Sections 147, 148, 149, 341, 323, 324, 504, 379, 506 and 354(D) of the Indian Penal Code on the basis of fardbeyan of Mritunjay Kumar Poddar (Petitioner) against informant of the present case and others. Moreso, two injuries were found on person of Chandrika Singh, father of informant, i.e. lacerated wound of



size 4 ½” x 1/4” x 1/5” vertically on left parietal region of skull and complain of pain on right shoulder, but, both injuries were found simple in nature. The petitioner 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 four 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 learned Addl. Chief Judicial Magistrate-II, Samastipur in connection with Muffasil (Samastipur) P.S. Case No. 266 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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