

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40814 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- HALSI District- Lakhisarai

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1. BHUNESHWAR SINGH @ BHUWNESH SINGH S/o Anandi Singh Resident of Village-Mohiyan, P.S.-Halsi, District-Lakhisarai.
 2. RAM SWARUP SINGH S/o Anandi Singh Resident of Village-Mohiyan, P.S.-Halsi, District-Lakhisarai.
 3. MANISH KUMAR @ AJAY KUMAR S/o Bhuneshwar Singh Resident of Village-Mohiyan, P.S.-Halsi, District-Lakhisarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukul Jee, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 13-12-2021 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Halsi P.S. Case No. 12 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code.

As per FIR, when the informant was present at his house the accused persons including the petitioners came there



variously armed with iron rod, *khanti* etc. Petitioner Nos. 1 and 2 inflicted *khanti* blow on his head, thereafter other accused persons also assaulted him and petitioner No. 3 Manish Kumar @ Ajay Kumar snatched the golden chain from his person.

Learned counsel for the petitioner has submitted that there is case and counter case. He has also submitted that injuries sustained by the informant are simple in nature although some injuries are on the head which has been mentioned in the rejection order by the learned Sessions Judge.

The order dated 24.9.2020 passed by the learned Sessions Judge, Lakhisarai in ABP No. 448 of 2020 is annexed with the record in which the learned Sessions Judge has mentioned that the informant has sustained six multiple injuries although those injuries were simple in nature but as per injury report mentioned at Paragraph-22 of the case diary injury on the head of the informant was dangerous to life.

Considering the above-mentioned facts and circumstances, the prayer for anticipatory bail in respect of **petitioner Nos. 1 and 2 is hereby rejected**, as they were the authors of those dangerous injuries.

But so far as the petitioner No. 3 Manish Kumar @ Ajay Kumar, is concerned the allegation against him is general



and omnibus in nature. As such, let him be released on bail in the event of his arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Halsi P.S. Case No. 12 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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