

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39472 of 2020

Arising Out of PS. Case No.-203 Year-2020 Thana- KORHA District- Katihar

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Amarjeet Kumar Singh @ Amit Kumar Singh @ Amit Singh, Son of Suresh Singh, Resident of Village- Bishanpur, P.S.- Korha, District- Katihar. At present resident of Village- Kanwa Tola Sirsa, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabi Bhushan Prasad No. 1, Advocate.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the 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 Korha P.S. Case No. 203 of 2020, registered under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

The accusation is that Bisnu Kumar Singh took cash of Rs.70,000/- from Dhananjay Kumar Singh, brother of the informant, Anil Kumar Singh, saying that money is required for marriage of his niece and assured to return the same within six



months. In the morning of 27.04.2020, Bisnu Kumar, called his brother, Dhananjay Kumar Singh with agreement to return the money at his maize field. When the informant along with his brothers, Dhananjay Kumar Singh and Raja Ram Singh went there then eight persons named in the FIR including the petitioner and 12 unknown came out from maize field and at that time, Amit Kumar (petitioner) having iron rod in his hand and Rahul Singh having pistol in his hand. On the order of Bisnu Singh, all started to cause assault to his brothers, Dhananjay Kumar Singh, and Raja Ram Singh, in which, his brother Dhananjay Kumar Singh, sustained injury at his leg and Munna Kumar Singh snatched the gold chain from his neck. At that time, Abhay Kumar Singh, snatched cash of Rs.1500/- from his pocket. In the meantime, when Raja Ram Singh made attempt to save his brother, Dhananjay Kumar Singh then Amit Kumar Singh (petitioner) gave iron rod blow causing injury at his head.

Learned counsel for the petitioner submits that due to some dispute, occurrence of *Marpit* took place, in which, petitioner's side also sustained injury, regarding which, Korha P.S. Case No. 202 of 2020 is also instituted on 27.04.2020 on the basis of Fradbeyan of Himadri Singh, wife of co-accused,



Bisnu Kumar Singh. Further submission is that the injuries, as found on the person of the brother of the informant, are simple in nature. Further submission is that 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 six 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 the learned Chief Judicial Magistrate, Katihar, in connection with Korha P.S. Case No. 203 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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