

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.100 of 2021

Arising Out of PS. Case No.-752 Year-2019 Thana- GARKHA District- Saran

RAJNISH KUMAR SINGH son of Jaya Ram Singh Resident of Village-
Fursatpur, P.S. Garkha District- Saran at Chapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajani Kumari

For the Opposite Party/s : Ms. Suman Kumari Singh

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

ORAL ORDER

2 16-08-2021 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 31.12.2020, 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 Garkha P.S. Case no. 752 of 2019, registered under Sections 323, 307, 384, 504 and 506 of the Indian Penal Code.

The accusation is that Sarfaraj Alam, son of the complainant/informant Md. Muslim Ansari, used to run a hotel on national highway in village-Fursatpur Chapra, Muzaffarpur, where Manish Kumar Singh and Rajnish Kumar Singh (Petitioner) used to come and take breakfast free of cost and on



demand of cost of breakfast, they used to give threatening and they demanded ransom of Rs. 4000/-, per month, for running of hotel. In the month of September, 2019, the petitioner along with three others came at the hotel of son of informant and made demand of breakfast and after taking breakfast, they did not clear bill of breakfast and started abusing. On 02.10.2019, they also entered in the hotel and took Rs. 4500/- from the counter despite of protest made by son of informant. On 05.10.2019 and 14.10.2019, they also came in the hotel and damaged the articles of the hotel, thereafter, information was given to the Police station, again, on 16.11.2019, Manish Kumar Singh and Rajnish Kumar Singh (petitioner) came at the hotel having armed with iron rod in their hands and started to make demand of Rs. 4000/- otherwise they will not permit him to run the hotel. At that time, Rajnish Kumar Singh (petitioner) gave iron rod blow at the head of Sarfaraj Alam, son of informant, who fell down and, again, they started to cause assault and all moved from there assuming the death of Sarfaraj Alam. Thereafter, Sarfaraj Alam was rushed to PHC from where he was referred to PMCH, Patna.

Learned counsel for the petitioner submits that petitioner and informant are co-villagers and due to some



dispute, informant lodged the present case by filing Complaint Case No. 4111 of 2019, which is the basis of F.I.R. of the present case. 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 A.C.J.M-XIV, Saran at Chapra in connection with Garkha P.S. Case No. 752 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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