

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39971 of 2020

Arising Out of PS. Case No.-589 Year-2019 Thana- MANER District- Patna

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Pappu Kumar @ Abhay Kumar, Son of Devendra Rai, Resident of Sherpur,
P.S.-Maner, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar, APP

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

ORAL ORDER

2 20-07-2021 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 Maner P.S. Case No. 589 of 2019, registered under
Sections 141, 144, 147, 148, 149, 332, 307 and 353 of the
Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on receiving information
about firing and pelting stones due to land dispute in between
Mithlesh Rai and Himanshu Rai in village Sharlpur, the



informant along with other police personnel reached there then saw that two groups are indulged in pelting stones and making firing. Thereafter, informant informed to the police station for more force to maintain the peace then firing was stopped and when he reached near the mob then saw that some persons have sustained injury, who were being carried by the villagers for treatment. On query, local Choukidar Rajesh Paswan and his son Anil Kumar disclosed that occurrence took place in between Mithlesh Rai and Himanshu Rai in respect to dispute of three Kathas land and they also disclosed the name of 53 persons including the petitioner, as a member of mob indulged in the said occurrence.

Learned counsel for the petitioner submits that in course of occurrence, Ranjan Kumar and Harendra Rai had sustained grievous injuries, while Upendra Rai and Raj Kumar had sustained slight injuries. It is further submitted that it would appear from the FIR that the name of the petitioner has been disclosed by local Choukidar, Rajesh Paswan and his son Anil Kumar and regarding the same occurrence, Maner P.S. Case No. 490 of 2019 is also instituted under Sections 157, 148, 149, 387, 307, 302, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act, in which, petitioner's name is also figured



without any specific overt act.

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 Judicial Magistrate Ist Class, Danapur, Patna, in connection with Maner P.S. Case No. 589 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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