

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1396 of 2021

Arising Out of PS. Case No.-177 Year-2020 Thana- HISUWA District- Nawada

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Dinesh Kumar @ Dinesh Kumar Dinkar Son Of Kuldip Yadav Resident Of
Village- Modi Bihga, Police Station- Hisua In The District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code.

Allegation is that the accused persons including the
petitioner assaulted the daughter of Umesh Yadav. In the
meanwhile the informant save her, accused Ravindra Prasad,
Lalu Prasad and Mukesh Kumar started pelting stone from the
roof. In course of occurrence the son of the informant came
there, accused Ravindra Prasad, Lalu Prasad and Mukesh
Kumar assaulted the son of the informant causing head injuries.



The son of the informant was taken to the Hospital and during course of treatment his son died.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The allegation of assault is against the co-accused, namely, Ravindra Prasad, Lalu Prasad and Mukesh Kumar. So far the petitioner is concerned, there is no allegation of assault against him. At best, the petitioner is a member of unlawful assembly.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate, Nawada in connection with Hisua P.S. case No.177 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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