

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4160 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- MEHANDIGANJ District- Patna

RISHU KUMAR S/o Late Ramdev Kewat Resident of Ranipur Khirki (Kali
Asthan Mallah Toli), P.S.- Mehandiganj, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

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

The petitioner is apprehending his arrest in a case registered
under Sections 341, 147, 323, 504, 307, 324, 379 of the Indian Penal
Code.

Allegation against the petitioner is that he along with other
accused persons after having formed unlawful assembly being armed
with weapon, assaulted the informant and his family members
causing injury with intention to kill and, also took away household
articles.

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 been falsely implicated in the present case. It has been submitted on behalf of the petitioner that there is no injury report on record to support the allegation regarding offence under Section 307 of the Indian Penal Code. The said fact is evident from the order of the Sessions Court.

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

Considering the aforesaid 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 Sub Divisional Judicial Magistrate, Patna City in connection with Mahendiganj P.S. Case No. 48 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)

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