

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6452 of 2021

Arising Out of PS. Case No.-239 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

1. MANOJ SINGH, S/O SHYAM NARAYAN SINGH, RESIDENT OF VILLAGE BAKHRI POLICE STATION KUCHAIKOTE DISTRICT GOPALGANJ
2. KARAN KUMAR @ RATAN KUMAR @ SANJEEV, S/O MANOJ KUMAR, RESIDENT OF VILLAGE BAKHRI POLICE STATION KUCHAIKOTE DISTRICT GOPALGANJ
3. RISHU KUMAR, S/O LATE SANTOSH SINGH RESIDENT OF VILLAGE BAKHRI POLICE STATION KUCHAIKOTE DISTRICT GOPALGANJ
4. KAWLESH SINGH @ KAMLESH SINGH, S/O SHYAM NARAYAN SINGH RESIDENT OF VILLAGE BAKHRI POLICE STATION KUCHAIKOTE DISTRICT GOPALGANJ
5. AADIT SINGH @ AADIYA SINGH @ ADIYA SINGH, S/O LATE RAJBALLABH SINGH RESIDENT OF VILLAGE BAKHRI POLICE STATION KUCHAIKOTE DISTRICT GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate
For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

23 17-02-2021 Heard Mr. Pankaj Kumar Dubey, learned Counsel

for the petitioner. Nobody appeared on behalf of the State.

This application, for grant of anticipatory bail, arises out of Kuchaikote Police Station Case No. 239 of 2020, disclosing offences under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code.

The allegation, as per the First Information Report



is that the petitioner along with other accused persons armed with *Farsa* with iron rod, lathi etc assaulted the informant, his son and wife. It is alleged that petitioner No.3, Rishu Kumar, assaulted the son of the informant by means of Axe on his head, due to which he got cut injury in the back portion on his head and allegation against the petitioner No.2, Karan Kumar, is that he snatched gold chain from the neck of wife of the informant worth Rs.35,000/- and there is no specific allegation against petitioner No.4, Kawlesh Singh @ Kamlesh Singh.

Learned Counsel for the petitioner submits that both the parties are close door neighbours and on trivial issue, scuffle between the parties had taken place and there is case and counter case also inasmuch as Complaint Case No.1069 of 2020 was lodged by the aunt of petitioner No.4 against the informant and others. Learned counsel next submits that during the pendency of this application, petitioner No.1 and 5 have been arrested and their application for anticipatory bail has been withdrawn by order dated 08.02.2021.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the allegation upon petitioner No.3 is that he assaulted the son of the informant by means of Axe on his head



and from perusal of the impugned order, it appears that son of the informant has sustained grievous injury on his head, I am not inclined to grant anticipatory bail to petitioner No.3, accordingly, the same is rejected. However, taking into consideration the nature of allegation against the petitioner No.2 and 4, I am inclined to grant both the petitioners privilege of anticipatory bail.

This application is partly allowed.

Let the petitioner No.2, Karan Kumar @ Ratan Kumar @ Sanjeev and petitioner No.4, Kawlesh Singh @ Kamlesh Singh, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gopalganj, in connection with Kuchaikote Police Station Case No. 239 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

