

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3835 of 2021

Arising Out of PS. Case No.-235 Year-2020 Thana- KOILWAR District- Bhojpur

Munna Rai, aged about 40 years, Gender – Male, S/o Late Dudhnath Rai, R/o Village- Manachak, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the State : Mr.Dilip Kumar No.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-03-2021 Learned counsel for the petitioner is permitted to remove the defects within four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Koilwar P.S. Case No. 235 of 2020 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 406 and 420 of the Indian Penal Code, Section 27 of the Arms Act and Section 40 of the Bihar Mineral and Mining Act.

The prosecution case in short is that the informant has been authorized by Brodson company to check the challan. It is further alleged that on 12.06.2020 at 4:30 P.M. during course of duty, the informant got stopped a tractor loaded with sand without any challan.



It is further alleged that thereafter altogether 18 persons (named in the F.I.R.) including the petitioner along with some unknown persons all of a sudden appeared there and started assaulting the informant by means of fists and slaps.

After sometime, all accused persons arrived at the house of the informant and surrounded the same. The informant remained silent in his house and in that course, altogether 15-20 rounds of firing were made by accused persons.

It is further alleged that before the arrival of the police and person of company on the spot, accused persons entered into the house of the informant and assaulted him along with his brother.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that there is general and omnibus allegation against the petitioner. There is no specific overt act against the petitioner. He further submits that nobody whatsoever has sustained any injury in this case. Petitioner is in jail custody since 20.08.2020.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail



bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur, Ara in connection with Koilwar P.S. Case No. 235 of 2020.

(Anjani Kumar Sharan, J)

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