

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13004 of 2021

Arising Out of PS. Case No.-499 Year-2020 Thana- NAWADA District- Nawada

MANISH KUMAR @ MANISH RANJAN Son of Avinash Prasad Resident
of Mohalla - New Area, Rajendra Nagar, P.S. - Nawada Town, District -
Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-01-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Nawada Town P.S. Case No.
499/20 instituted for the offences under Sections 341, 323,
325, 353, 354, 332, 333, 224, 379 and 511 of the Indian
Penal Code.

The F.I.R. has been lodged by a Police Officer
alleging that when the police team had gone to arrest the
petitioner and his mother in a case under Section 498A of
the Indian Penal Code, the entire police team was
misbehaved with and were assaulted leading to simple



injuries on their person.

The learned counsel for the petitioner has submitted that the case is absolutely false for the following reasons viz. the dispute between the petitioner and his spouse was long settled; and that the spouses are living together under the same roof as husband and wife. Even knowing this fact, the police party were trying to harass the family members of the petitioner and the petitioner himself. This might have, it has been argued, resulted in some clash between the supporters of the petitioner and the police party. The nature of injury suffered by the police party does not reflect that any serious assault was made on them.

The learned counsel for the petitioner, therefore, submits that it appears that because of the insolent behaviour of the police party, there was some resistance from the side of the petitioner and his supporters which has led to the lodging of the present case.

Regard being had to the background facts, namely, the settlement of dispute between the petitioner and his wife, for which a case had been lodged and the petitioner



was sought to be arrested by the informant in the case in which the dispute had already been settled, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Nawada Town P.S. Case No. 499/20, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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