

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13602 of 2021

Arising Out of PS. Case No.-452 Year-2020 Thana- KANTI District- Muzaffarpur

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RAJIV KUMAR @ RAJIV DUBEY Son of Ram Jha Resident of Village -
Soti Bheriyahi, P.S.- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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

The petitioner is apprehending his arrest in Kanti (Panapur
O.P.) P.S. Case No. 452 of 2020 registered under Sections 341, 323,
307, 504/34 of the Indian Penal Code.

Allegedly, the petitioner and co-accused dragged the informant.
Co-accused Jitendra Dubey is alleged to have opened fire, due to
which, the informant is said to have sustained injury.

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. The petitioner and co-



accused are said to have dragged the informant out. The nature of injury is said to be simple. No offence u/S 307 of the Indian Penal Code is made out. Except the offence under Section-307 of the Indian Penal Code, rest of the offences are triable by the Magistrate.

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, 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 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, West, Muzaffarpur in connection with Kanti (Panapur O.P.) P.S. Case No. 452 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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