

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15003 of 2021

Arising Out of PS. Case No.-125 Year-2020 Thana- THARTHARI District- Nalanda

RAKESH KUMAR @ RAKESH SINGH, S/o Mithalesh Prasad Singh @
Mithalesh Singh @ Mithalesh Kumar Sinha Resident of Village - Amera, P.O.
- Bhathar, P.S. - Tharthari, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saket Anand

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-02-2022 Heard Mr. Saket Anand, learned Advocate for the

petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Tharthari P. S. Case No. 125 of
2020, dated 25.07.2020, instituted for the offences under
Sections 147, 148, 149, 448, 380, 341, 323 and 307 of the
Indian Penal Code and Section 27 of the Arms Act, 1959.

The accusation against the petitioner is of having
opened fire which hit the father of the informant.

There is a counter version of the occurrence also in
which the act of firing has been attributed to the father of
the informant.



There appears to be some dispute between the two sides and all the relevant persons of each side have been made accused in this case.

The petitioner denies of having opened fire.

The issue which led to the clash between the parties is the complaint made by the villagers and the petitioner with respect to the informant selling adulterated items to the villagers which are of concern to their health.

Regard being had to the nature of accusation; the counter case; and the clean antecedents, 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 six weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional Chief Judicial Magistrate -I, Hilsa, Nalanda at Biharsharif / Court concerned, in connection with Tharthari P. S. Case No. 125 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

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