

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10275 of 2022

Arising Out of PS. Case No.-122 Year-2020 Thana- HILSA District- Nalanda

RAJNISH KUMAR @ MAHTO JEE SON OF JALESHWAR PRASAD R/O
VILLAGE- DHIBRAPAR, P.S.- HILSA, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Prasad, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 447, 341, 323, 504, 307,
324/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent.

Allegation is of assaulting the informant and his family
members Suresh Prasad, Rajdeo Prasad and others by the accused
persons by Bhala and lathi and this petitioner is alleged to have
fired.

Learned counsel for the petitioner submits that from bare
perusal of the allegation as alleged in the FIR, it would manifest that
as far as allegation of assault is concerned, the same is general and



omnibus against all the accused persons but against this petitioner, it has been specifically alleged that he was carrying gun and he fired but from perusal of the injury report, it would manifest that the injured have not suffered any gun shot injury nor any empty cartridge was recovered from the place of occurrence. It is, thus, submitted that petitioner has been falsely implicated by alleging ornamental allegation.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hilsa P.S. Case No. 122 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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

