

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30197 of 2021**

Arising Out of PS. Case No.-78 Year-2020 Thana- GANGABRIDGE District- Vaishali

Mohan Kumar @ Mohan Kumar Singh @ Mohan Kr. Singh Son Of Shivjee
Singh R/O Village- Sahdullahpur, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar No. I, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 07-03-2022 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 four weeks.

Learned counsel for the petitioner submits that the P.S.
case number has inadvertently been mentioned in prayer portion
of the petition as Ganga Bridge P.S. Case No. 78 of 2018 in
place of Ganga Bridge P.S. Case No. 78 of 2020 though it was
correctly mentioned in paragraph 1 of the petition.

Let the words “Ganga Bridge P.S. Case No. 78 of
2018” mentioned in prayer portion of the petition be corrected
to be read as “Ganga Bridge P.S. Case No. 78 of 2020”.

The petitioner is apprehending his arrest in a case



registered under Sections 341, 323, 307, 386, 504, 506/34 of the Indian Penal Code in which Section 302 IPC was added later on.

The prosecution allegation, in short, is that the accused persons assaulted the husband of the informant due to which he sustained injury and later succumbed to the 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 falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Specific allegation of assault is alleged against co-accused Sohan Kumar who is alleged to have given Kudal blow on the neck of the husband of the informant which led to the death of the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the



like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 78 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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