

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31309 of 2021

Arising Out of PS. Case No.-296 Year-2020 Thana- BARHIYA District- Lakhisarai

1. Rajeev Kumar S/O Raj Kumar Singh R/O Village-Dariyapur, P.S.-Badahiya, District-Lakhisarai
2. Sanjeev Kumar S/O Raj Kumar Singh R/O Village-Dariyapur, P.S.-Badahiya, District-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-03-2022 At the outset, it is submitted by learned counsel for the petitioner that during pendency of this application, petitioner no. 1 has been arrested and, as such, he seeks permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner no.1.

So far as petitioner no. 2 is concerned, he has filed the instant application apprehending his arrest in connection with Badahiya P.S. Case no. 296 of 2020 instituted for the offence under Sections 341, 323, 379, 353 and 307 of the Indian Penal Code.

As per allegation in the FIR, petitioner and his father have assaulted the informant and his staff by means of lathi danda over a trivial dispute regarding cutting off electric connection.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. General and omnibus allegations have been levelled against him. Injury received by Anil Kumar Singh is on vital part but simple in nature.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner no. 2 on bail. The petitioner no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Badahiya P.S. Case no. 296 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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