

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27696 of 2022

Arising Out of PS. Case No.-429 Year-2020 Thana- DEEPNAGAR District- Nalanda

VIVEK KUMAR @ RAJESH KUMAR S/o Jawahar Yadav R/o Village -
Golapur, P.S. - Deepnagar, District - nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 448, 504, 506 and 34 of the Indian Penal Code and Section 27 of Arms Act.

The informant alleges that his own brother (petitioner) came with Sonu and Vipin and petitioner disclosed that he committed theft of his Scorpio vehicle and sold it to Vipin which was objected by the informant on which petitioner pointed gun at him, it is next alleged that Sonu assaulted him by Khanti causing injury on head, further Ashok assaulted his wife by Khanti causing injury



on left hand, it is further alleged that the informant injury on head required 22 stitches and accused also stole cash and ornaments.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that petitioner and informant are own brother and there is dispute between them with regard to ancestral property, it is next submitted that even presuming what has been alleged is true without admitting then allegation of assault is not alleged against the petitioner and as far as allegation of committing theft of Scorpio and selling it to Vipin is alleged the same is ornamental in nature as a person who commits an occurrence never discloses.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/-



(Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Deepnagar P.S. Case No. 429 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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