

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37999 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- BASANTPUR District- Siwan

ANKIT KUMAR Son of Pintu Rai @ Pintu Kumar Singh Resident of village-
Sendurakha Pandey Tola, P.s.- Basantpur, District- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prashant Kumar
For the Opposite Party/s	:	Mr. Rajeev Nayan
For the State	:	Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-10-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 341, 323, 324, 307, 379 and 504 read with 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-accused persons holding Garasi, Farsa and Daab assaulted on the head of the informant's uncle and his brother causing cut injuries. When the informant came to rescue his uncle and his brother, he was also abused and assaulted by them. The accused persons also snatched a golden chain from the neck of the informant.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is case and counter case between the parties. There is no eye witness in this case and the allegation against the petitioner is general and omnibus in nature. There is a land dispute between the parties. The CT-scan report of Bishwanath Pandey does not support the prosecution case. The petitioner is also accused in two other criminal cases which are not related to heinous nature of offence and he is on bail in both the cases as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the injured Bishwanath Pandey and Abhishek Kumar Pandey sustained grievous injuries.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Basantpur P.S. Case No. 41 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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