

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58005 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- RAXAUL District- East Champaran

KUSHAL KUMAR @ KAUSHAL KUMAR SINGH Son of Vikrama Singh
Resident of Village - Aashram Road Ward no.10, P.S.- Raxaul, Distt.- East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra

For the Opposite Party/s : Mr. Md. Matloob Rab, APP 34

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-07-2022 Learned counsel for the petitioner is directed to remove
all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Raxaul P.S. Case No. 94 of 2021, registered for the offences
punishable under Sections 341, 323, 324, 307, 379, 504, 354, 506, 34
of the Indian Penal Code.

As per allegation, when the minor daughter of the
informant was returning from her coaching classes, the present
petitioner after catching hold her hands started to drag her. On hue
and cry made by the daughter of the informant, the petitioner fled
away. The informant along with his brothers went to complain to the
house of the petitioner whereupon at the order of the petitioner's



father co-accused Kundan Singh and Dheeraj Singh and Ramvinay Singh assaulted the informant and his brothers with iron rod, *farsa*, *lathi* etc. and made them badly injured they also assaulted Nitesh Kumar with *farsa* on his head. Co-accused Vikrama Singh assaulted the informant's cousin Pradeep Sah on his head with iron rod.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The age of petitioner is 18 years and that of the victim is 16 years. He has also submitted that the defense side has also lodged a case against the prosecution side.

From perusal of the FIR it appears that the petitioner is behind the entire occurrence. He has forcibly caught hold the minor daughter of the informant which resulted into the occurrence and a number of persons were sustained injuries. As such, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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