

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66438 of 2021

Arising Out of PS. Case No.-198 Year-2021 Thana- TEKARI District- Gaya

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1. RAJA KUMAR RAM Son of Late Munni Ram, Resident of Village - Mau, P.S.- Mau, Distt.- Gaya.
 2. ROHIT KUMAR Son of Subodh Rajak, Resident of Village - Mau, P.S.- Mau, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Chandra

For the Opposite Party/s : Ms.Asha Kumari

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

ORAL ORDER

2 25-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Tekari (Mau) P.S. Case No. 198/2021 registered for offence punishable under sections 341, 323, 307, 504/34 of the Indian Penal Code.

As per allegation, Nitish Kumar, the son of the informant was returning from market. Petitioner no. 1 assaulted him with *lathi* on his head. Petitioner no. 2 assaulted the wife of



the informant with iron rod on her hand.

The learned counsel for the petitioners has submitted that it is case of free fight between both the parties. The defense side has also lodged a case for the same day occurrence. Though, the injuries on persons of injured Nitish Kumar as well as the wife of the informant were found grievous, but the injury suffered by the petitioner Raja Kumar Ram was also found grievous. The learned counsel for the petitioners has submitted further that the informant of this case surrendered before the court below and was granted regular bail in the counter case.

The allegation against petitioner no. 1 is to assault on the head of Nitish Kumar, who sustained grievous injury. Similarly, petitioner no. 2, Rohit Kumar inflicted blow on the hand of the informant's wife, who also sustained grievous injury.

Considering the above-mentioned facts and circumstances, the petitioners are directed to surrender before the court below and make a prayer for regular bail. The learned court below may take notice of the fact that the petitioners are the persons of clean antecedent and petitioner no. 1 has also sustained grievous injuries.



With these observations, this criminal miscellaneous petition is being disposed of.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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