

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35919 of 2023

Arising Out of PS. Case No.-358 Year-2020 Thana- PALIGANJ District- Patna

Rajnish Kumar @ Ranjit Kumar S/O Sri Jai Sri Sharma @ Jay Sri Sharma @
Jai Shari Sharma @ Sri Jai Sri R/O Village- Bharbhesar, P.S- Paliganj, Distt.-
Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Paliganj P.S. Case No. 358 of 2020 dated 26.10.2020 instituted
for the offence punishable under Sections 341, 323, 504, 506,
307, 34 of the Indian Penal Code.

3. As per allegation on 26.10.2020 at about 07:00 am,
the petitioner along with other co-accused assaulted the
informant with *Padhari*, *Khanti* and *lathi*, due to which the
informant sustained injuries on head and body. It is also alleged
that the accused persons also threatened the informant to kill
him. It is alleged that on earlier occasion also, prior to this
incident, all accused persons have assaulted his family



members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and falsely been implicated in this case. It is further submitted that there is no specific allegation against the petitioner. Learned counsel for the petitioner submits that the petitioner had lodged an F.I.R. against the informant bearing P.S. Case No. 234 of 2019 under Section 328, 302/34 of the Indian Penal Code. The informant and other accused persons had committed the murder of the uncle of the petitioner and present case lodged against the petitioner is only to make pressure to compromise the P.S. case no. 234 of 2019. Learned counsel for the petitioner submits that similarly situated co-accused, namely, Om Prakash @ Om Prakash Kumar and Jay Sri Sharma @ Jaishari Sharma @ Sri Jai Sri Sharma @ Sri Jai Sri have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 20.07.2022 passed in Criminal Miscellaneous No. 63274 of 2021. Lastly, it has been submitted that he has two criminal cases.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in



the event of arrest / surrender of the petitioner in connection with Paliganj P.S. Case No. 358 of 2020, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Danapur (Patna) subject to condition as laid down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

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