

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36076 of 2023

Arising Out of PS. Case No.-1435 Year-2022 Thana- PHULWARISHARIF District- Patna

Sanni Kumar, S/O Karmu Yadav @ Bhota @ Ranjan Yadav, R/O Village-
Mahgupur, Lodipur, P.S- Janipur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 25-07-2023 Heard Mr. Sunil Kumar, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Phulwarisharif (Janipur) P.S. Case No. 1435 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 511 of the Indian Penal Code.

3. Allegedly while the informant along with his brother Raushan Kumar, nephew Ankit Kumar and uncle Upendra Kumar were coming after attending a Bhoj ceremony, in the meantime, all the F.I.R. named accused persons intercepted them and they abused and tried to snatch their motorcycle. On protest, accused Sanoj @ Bhura assaulted on the head of the informant by the Butt of pistol and the petitioner assaulted Raushan Kumar by means of *Kara*, which was



wearing in his hand. There are other allegations against other accused persons.

4. Learned counsel appearing on behalf of the petitioner submits that in fact no such occurrence has taken place and only on account of some dispute a scuffle took place between the boys of same age, which resulted into institution of the present F.I.R. Even as per the narrations made in the F.I.R., no case under Sections 307 and 379 of the Indian Penal Code is made out. He further submits that so far the allegation levelled against the petitioner that he assaulted by means of *Kara* to Raushan Kumar is concerned that injury has been found to be simple in nature. He lastly submits that the petitioner is aged about 19 years, having fair antecedent, and both the parties are co-villagers.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner assaulted Raushan Kumar, which injury was found to be simple in nature, coupled with the age of the petitioner and his fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks



from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Patna in connection with Phulwarisharif (Janipur) P.S. Case No. 1435 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

