

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37772 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- INDUSTRIAL District- Bhagalpur

Rahul Kumar Son of Ramdas Mandal Residence of Meerchack, P.S. -
Industrial Area, Distt. - Bhagalpur, (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baijnath Sah

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354B, 335, 504 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, on the alleged date and time of occurrence, when the son of informant went to purchase some goods from the shop, this petitioner along with other co-accused persons variously armed standing near *Kaali Asthan* assaulted him. When the nephew of informant Akshra Mandal and informant came to rescue her son, co-accused Dipak Kumar misbehaved with the informant and abused her. It is further alleged that co-accused Ankush Kumar and Sirchan Kumar



assaulted her son as a result of which he became senseless. Thereafter father of Sirchan Kumar also assaulted him with lathi. This petitioner assaulted with bricks on the head of son of informant.

4. It is submitted that allegation of assault is general and omnibus. Injuries sustained by the injured are simple in nature. Rest allegation are ornamental to make the case grave. Both parties are next door neighbour.

5. Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Bhagalpur in connection with Industrial P.S. Case No. 29 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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