

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44855 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BARHIYA District- Lakhisarai

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SUJEET KUMAR @ SUJIT KUMAR SON OF LATE BALMIKI SINGH
RESIDENT OF VILLAGE- AND PS- BARAHIYA, DISTT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Vaishnavi Singh, Advocate
Mr. Ajay Kumar Thakur , Advocate
Mr. Ritwik Thakur , Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey , Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-09-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 147, 148 , 149, 341 , 323 ,
385 , 307, 379, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, on the written report
of the informant Ram Balak Singh @ Gongu Singh who states
that on 09.06.2023 at 9.30 P.M. when the informant was coming
to his house from his Bathan, meanwhile petitioner Sujit
Kumar and other co-accused persons Ajay Singh, Vishal Kumar
@ Chhotu, Rishu Kumar, Chandra Bhushan Singh @ Pinku
Singh, Sonu Kumar, Kartik Kumar Singh, Murari Singh along
with two unknown persons came and Sujit Kumar demanded



Rs.50,000/- as Rangdari on the point of pistol and on the order of Sujit Kumar, Vishal Kumar @ Chhotu tried to pierce pistol in his eyes luckily it escaped his eyes and he sustained injuries near his eyes and thereafter, all persons assaulted him and blood started oozing out from his nose. It is further stated that on Hulla, when the younger brother of the informant came out of the house, all the accused persons assaulted him too. It is further stated that Sujit Kumar snatched a golden chain of two "bhar" from the informant and Ajay Singh snatched a golden chain of one "bhar" from his brother Rameshwar Singh, and Sujit Kumar fell down in the course of fleeing and sustained injuries.

4. It is submitted on behalf of the petitioner that specific accusation of assault is against co-accused Chhotu . Allegation against this petitioner is general and omnibus in nature. Injury cause to the informant is simple in nature . Case and counter case. Earlier the elder brother of the petitioner namely Sanjay Kumar lodged a case in Barahiya P . S. Case No. 134 of 2023 against the informant party. Rest of allegation is super-addition to make the case grave.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 Chief Judicial Magistrate , Lakhisarai in connection with Barahiya P.S. case No. 135 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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