

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59943 of 2022

Arising Out of PS. Case No.-246 Year-2022 Thana- BASANTPUR District- Siwan

1. Munna Kumar Sah Son of Ishwar Sah Resident of Village - Junedpur, P.S.- Basantpur, District - Siwan
2. Nanhay Kumar @ Nanhe Kumar @ Amit Kumar @ Amit Son of Ishwar Sah Resident of Village - Junedpur, P.S.- Basantpur, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-02-2023 Heard Mr. Ashutosh Kumar Singh, learned counsel

for the petitioners and Mr. Bharat Bhushan, learned APP who

represents the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are apprehending arrest in
connection with Basantpur P.S. Case No. 246 of 2022 under
sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code.

As per the prosecution story, the accused
Shatrughan Kumar came to the shop of the informant and asked
his wife to give some goods on credit. Upon refusal, it is alleged
that he called amongst other the petitioners herein and thereafter



assaulted her. When the informant came to her rescue, the allegation is that the petitioner no.1 assaulted him on his head by axe causing injury. They also assaulted the informant's daughter, as the locals came, they were shifted to the hospital followed by the FIR.

Considering the kind of allegation that has come against the petitioner no.1 Munna Kumar Sah, no relief can be granted to him and his anticipatory bail stands rejected.

So far as the petitioner no.2 namely, Nanhay Kumar @ Nanhe Kumar @ Amit Kumar @ Amit Son of Ishwar Sah is concerned, considering that the omnibus allegation is against him, he do not have criminal antecedent, this Court is inclined to grant him the privilege of anticipatory bail.

Let the petitioner no.2 be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Basantpur P.S. Case No. 246 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Before parting, this Court would like to put on



record its word of appreciation for Mr. Ashutosh Kumar Singh,
learned counsel for the petitioners.

(Rajiv Roy, J)

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