

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60907 of 2022

Arising Out of PS. Case No.-211 Year-2021 Thana- MINAPUR District- Muzaffarpur

Ranjan Kumar S/O Sri Shiv Chandra Rai Resident Of Village- Rampur Hari,
Tole- Koylasthan, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rajendra Prasad Nat, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 08-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 341, 323, 324, 325, 379, 307, 504 and 506 read with 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and the co-accused persons holding *lathi* and *danda* assaulted the informant's son. When the informant went to rescue, they also attacked him. On exhortion of the co-accused Chandan Kumar the petitioner inflicted blow of sword causing cut injury on the



head of informant's son. Thereafter, the co-accused Chandan Kumar and the petitioner assaulted on the head of the informant with iron rod which caused fracture injury on his rib.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. There is general and omnibus allegation against the petitioner. Sanjeet Kumar sustained simple injury. No cut injury was found. Learned counsel further submitted that the allegation against the petitioner and co-accused person Chandan Kumar is of assaulting the informant with iron rod causing fracture injury on the rib but the injury was found on his neck which creates doubt on the prosecution case.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the informant was treated at Government Hospital and the injury report shows that the informant sustained injury over the neck which appears to be grievous in nature measuring (2cm X 0.5cm X 0.5 cm) caused by hard and blunt substance.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur in connection with Minapur P.S. Case No. 211 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond .

The application stands allowed.

(Chandra Prakash Singh, J)

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