

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70109 of 2022

Arising Out of PS. Case No.-285 Year-2022 Thana- PATNA CITY CHOWK District- Patna

1. ANKIT KUMAR @ ANIKET KUMAR Son of Dharmendra Kumar Singh @ Bablu Singh Resident of Mohalla- Bhitri Begampur, Daripar,P.S- Chowk, Dist- Patna
2. Suman Kumar Son of Sri Kishore Prasad Resident of Mohalla- Bhitri Begampur, Daripar,P.S- Chowk, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-05-2023 Heard learned counsel appearing on behalf of the parties.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Chowk P.S. Case No. 285 of 2022 registered for the offences punishable under Sections 341, 323, 504, 506, 307 and 354/34 of the Indian Penal Code.

The allegation against both petitioners is to assault informant and other by means of rod and knife, causing head and bodily injury, having intention to cause their death, where



occurrence is alleged to be founded upon issue arises out of missing/theft of mobile phone.

Learned counsel appearing on behalf of the petitioners submitted that the occurrence is free fight in nature, where prior to this case, a case was lodged by petitioner's side, which has been registered as Chowk P.S. Case No.284 of 2022. It is also submitted that thrust of allegation as regard to causing injury by using knife is available specifically against other co-accused, namely, Riku Kumar, whereas the allegation as regard to assault appearing very much general and omnibus against these petitioners. While concluding the argument, it is submitted that petitioners are man of clean antecedent.

Learned APP for the State opposes the prayer of bail.

Considering the aforesaid facts and circumstances of the case, as occurrence is free fight in nature, where, specific allegation as regard to cause knife injury is available against co-accused, namely, Riku Kumar, accordingly both above named petitioners, in the event of their arrest or surrender before learned court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna



City (Patna)/concerned Court, where the case is pending in connection with Chowk P.S. Case No. 285 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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