

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76214 of 2023

Arising Out of PS. Case No.-2 Year-2021 Thana- ARWAL District- Jehanabad

RANJEET KUMAR Son of Rambhu Pandit Resident of Village - Balu Bigha,
Post - Hasanpur, Police Station - Arwal, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 02-12-2023 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.

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

3. The petitioner is apprehending his arrest in a case in connection with Arwal P.S. Case No. 02 of 2021 dated 02.01.2021 registered for the offence/s punishable u/ss 147, 148, 149, 341, 323, 307, 504, 506 and 302 of the Indian Penal Code.

4. As per the prosecution case, on 01.01.2021 at about 6 P.M., the co-accused Pawan Kumar under the influence of intoxication, abused the niece of the informant. When the brother of the informant approached the accused persons



including the petitioner who were variously armed with lathi, danda and rod for questioning about the matter, they attacked on him. The accused Sanjit Kumar assaulted the brother of the informant with rod causing head injury. The co-accused Gautam Kumar and Pawan Kumar also assaulted his brother on his head. When the informant and his nephew went to save him then all the accused persons also assaulted them. On arrival of the nearby people, the accused persons fled away. The injured persons were taken to the hospital for treatment but the brother of the informant succumbed to his injury.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The specific allegation of assault is against the co-accused, Sanjit Kumar, Gautam Kumar and Pawan Kumar. The investigating officer submitted the final form against the petitioner and accordingly the petitioner was not sent up for trial. Similarly situated co-accused has already been granted anticipatory bail by this court *vide* order dated 08.11.2023 passed in Cr. Misc. No. 60018 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently



opposed the anticipatory bail petition of the petitioner.

7. 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 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, Jehanabad in connection with Arwal P.S. Case No. 02 of 2021, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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