

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62956 of 2024

Arising Out of PS. Case No.-248 Year-2023 Thana- NAUHATTA District- Saharsa

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Kumar Rajnish @ Rajnish Kumar Son of Shri Bilash Chandra Panjiyar R/O
Vill.- Asaiya, P.S- Nanhatta, O.P.- Darhar, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nauhatta (Darhara O.P.) P.S Case No. 248 of 2023 dated 29.10.2023 registered for the offence punishable u/s 341, 323, 325, 307, 354, 504 and 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons holding lathi, farsa, iron rod and danda came to the door of the informant and the co-accused assaulted on the hand of the informant causing injury. When the informant's Devar, Sikandar came to rescue, he was assaulted by Rajnish Kumar (Petitioner) and other co-accused with an iron



rod causing injury. The co-accused Sushila and Bilash Chandra also assaulted Chhotu with farsa and danda due to which he sustained injury in his hand. The injured were taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was some altercation between them. It is further submitted that the injured sustained injury which is on non-vital part of the body. It is further submitted that the petitioner has no concern with the alleged occurrence. Similarly situated co-accused person has already been granted regular bail vide order dated 09.07.2024 passed in Cr. Misc. No 44668 of 2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. 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,



Saharsa, in connection with Nauhatta (Darhara O.P.) P.S Case
No. 248 of 2023, subject to conditions as laid down under
section 438(2) of the Code of Criminal Procedure, with further
condition/s:-

*(i) 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
bail bond of the petitioner is liable to be cancelled.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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