

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78714 of 2023

Arising Out of PS. Case No.-262 Year-2023 Thana- KADAMKUAN District- Patna

Raju Kumar @ Rishav Raj S/O Dayali Singh Yadav R/O Village- Saidpur
Canal (NAHAR) Road, Near Shivam Apartment, Ps. Kadamkuan, Dist. Patna

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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

ORAL ORDER

2 22-01-2024 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 Kadamkuan P.S. Case No. 262 of 2023 dated 28.04.2023 registered for the offence/s punishable u/ss 341, 323, 307, 504 and 506 read with section 34 of the Indian Penal Code and section 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have abused and assaulted the informant's son. When the informant along with his family



members went to rescue, all the accused persons armed with Lathi, Danda and pistol also assaulted them and the petitioner Raju Kumar fired on the informant due to that he sustained injury on his chest. When the nephew of the informant came to rescue, they also assaulted him.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is case and counter case between the parties. The allegation against the petitioner is of firing on the informant but as per injury report, the injury of the informant is simple in nature caused by hard and blunt substance. 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, Patna in connection with Kadamkuan P.S. Case No. 262 of 2023, 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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