

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85169 of 2023

Arising Out of PS. Case No.-1045 Year-2022 Thana- LAKHISARAI District- Lakhisarai

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Arun Kumar, Son of Late Jay Kishore Singh @ Jai Kishore Prasad Sharma,
Resident of Village- Mahsaura, P.S. - Lakhisarai (Ramgarh Chowk), District -
Lakhisarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Muneshwar Prasad, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-01-2024 Heard Mr. Muneshwar Prasad, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Lakhisarai (Ramgarh Chowk) P.S. Case No.
1045 of 202 registered for the offences punishable under
Sections 341, 323, 448, 307, 379, 354B, 506, 294, 504/34 of the
Indian Penal Code.

3. Allegedly the petitioner along with others forcibly
entered in the house of the informant. The petitioner was also
carrying pistol in his hand, assaulted the informant along with
other co-accused persons, due to which the informant sustained
injury. Further allegation has been levelled that co-accused Ajit
Kumar and Abhijit Kumar assaulted the son of the informant, by



means of Iron rod.

4. It is submitted on behalf of the petitioner that the petitioner is non-else, but the own brother of the informant and on account of some family feud, a scuffle took place between the brothers, resulting into lodging of the present F.I.R. He further submits that even as per the F.I.R., though allegedly the petitioner was carrying pistol in his hand, but admittedly no firing took place, thus in no stretch of imagination there was any intention to kill the informant. He further submits that though the doctor has found one grievous injury on the person of the injured (informant Karamshil Kumar), but, as per the allegation, he was assaulted by both the petitioner and co-accused Anant Kumar and, as such, the petitioner cannot be said to be the solely responsible. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceedings of the Court.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that the occurrence took place on account of a family feud between the brothers, coupled with the fair



antecedent of the petitioner, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No. 1045 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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