

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75047 of 2018

Arising Out of PS. Case No.-157 Year-2018 Thana- KATEYA District- Gopalganj

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1. Nitish Kumar @ Nitesh Kuma, S/o Manager Kohar,
2. Gorakh Prajapati @ Gorakh Kohar, S/o Manager Kohar, Both R/o Village-
Nadahi Tola, P.S.- Kateya, District- Gopalganj Petitioners
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioners : Mr.Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners as well as

learned counsel for the State.

Petitioners apprehend arrest in a case registered for
offence under sections 341, 342, 323, 324, 307, 504 of the
Indian Penal Code.

It is submitted on behalf of the petitioners that he does
not want to press the anticipatory bail petition of petitioner no.2
as he has already been arrested during the pendency of the
application.

Bail petition in respect of petitioner no.2 is dismissed.

In respect of petitioner no.1, it is submitted that the
injury report shows that the injuries are simple in nature caused
by hard and blunt substances which does not corroborate the
allegation in the FIR that there is subsisting dispute regarding
right to use of passage. Prior to the instant case, there is no



criminal antecedent of the petitioner.

Considering the aforesaid submissions and the facts and circumstances of the case, prayer for bail to the petitioner no. 1 Nitish Kumar @ Nitesh Kumar is allowed. In the event of arrest/surrender within four weeks from today, Let the petitioner as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in Kateya Police Station Case No. 157 of 2018 on the following conditions:-

One of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he/she is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner and

The Petitioner will be well represented on each date and if he/she fails to do so on two consecutive dates, his/her bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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