

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48062 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- BODHGAYA District- Gaya

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VIKASH KUMAR Son of Bindeshwar Mandal Resident of Miyanbigha, P.S.-
Bodhgaya, Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 325, 337, 353, 379 and 504/34 of the IPC.

The prosecution case, as per the written report of Priya Nath, being a Traffic Constable submitted to the Station House Officer, Bodh Gaya Police Station, is to the effect that on 19.06.2019, the informant was deputed as traffic police near Bank of India, Bodh Gaya. In the meantime, an auto rickshaw entered into 'no entry zone' and on protest being made, the



driver of the alleged auto rickshaw started abusing the informant and thereafter he went away from that place. It is further alleged that after thirty minutes of alleged occurrence, the driver of the alleged auto rickshaw along with ten other accused persons came armed with lathi, danda and brick when the petitioner and alleged driver snatched the mobile phone of the informant and assaulted him with bricks.

It is submitted by learned counsel for the petitioner that thrust of accusation is against the driver of the alleged auto rickshaw. The petitioner has maliciously been roped in the present case only on basis of suspicion. It is further submitted that no injury report of the informant is on record.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the nature of accusation not being corroborated by any medical opinion, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to



the satisfaction of learned CJM, Gaya in connection with
Bodhgaya P.S. Case No. 274 of 2019, subject to the condition as
laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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