

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81754 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- BIHARSHARIF District- Nalanda

Vikki Kumar, Son of Mithalesh Prasad, Resident of Malikpur, P.S. - Silao,
District - Nalanda at present Gadh Par, P.S.- Bihar, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suryakant Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 337, 338, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Rikky Kumar submitted to Superintendent of Police, Nalanda is to the effect that that co-accused Rajbabbar Yadav was constructing the house after encroaching the informant's pathway. On protest being made by the informant, co-accused Rababbar Yadav, his nephew, the petitioner Vikki Yadav and his nephew started abusing the informant and his family members. It is further alleged that all the accused persons after sometime again came variously armed and co-accused Rajbabbar Yadav



wrapped towel around the neck of Gyanchand Kumar and started dragging and assaulted him with a bamboo. It is also alleged that co-accused Rajbabbar Yadav resorted to fire but it did not hit to anyone. It is further alleged that on the order of co-accused Rajbabbar Ydav to commit robbery, other co-accused persons misbehaved with the family members.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against co-accused Rajbabbar Yadav, who has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 13.09.2019 passed in Cr. Misc. No. 38377 of 2019. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the thrust of accusation is against Rajbabbar Yadav, who has been granted anticipatory bail by a Co-ordinate Bench of this Court and injury being found simple in nature, coupled with the statement made in paragraph 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



or 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda in connection with Bihar P.S. Case No. 56 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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