

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11718 of 2020

Arising Out of PS. Case No.-302 Year-2019 Thana- DULHIN BAZAR District- Patna

Roushan Kumar, male aged about 17 years, son of Shekhar Yadav, resident of village
Nawada, P.S. Dulhin Bazar, P.O. Sihi, Distt. Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kalyan Shankar, Adv.

For the Opposite Party/s : Dr. Mritunjaya Kr. Gautam, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 24-07-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Dulhin Bazar P.S. Case No. 302 of 2019 registered under sections 307, 147, 148, 149, 341, 323, 324, 379, 354A and 506 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, the accused persons including the petitioner herein are stated to have come variously armed and of having assaulted, the '*devar*' (brother-in-law of the informant) who received grievous injury. It is further stated that the informant was also assaulted by the other accused.

It is submitted by learned counsel for the petitioner that so far as the petitioner herein is concerned, he is a student,



who has been falsely implicated in the case. The main allegation is against Vikash Kumar Yadav of having assaulted with *Khanti*. The petitioner is alleged to be armed with sword, but no injury caused by sword has been found in the injury report.

The application for bail is opposed by learned APP for the State. He submitted that the petitioner is not only named in the FIR but also chargesheeted in the case.

Having heard learned counsel for the parties and taking into consideration the fact that in the injury report, no injury attributable to the petitioner has been found, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Dulhin Bazar P.S. Case No. 302 of 2019, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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