

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1969 of 2021

Arising Out of PS. Case No.-266 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

NAWAL UPADHAYA @ NAWAL KISHORE UPADHYAY Son of Raghav
Upadhyay R/o Village - Bhathwa Parsuram, P.S. - Kuchaikote, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Pandey
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Section 341, 323,324, 307, 379, 326, 427,
504/34 of the Indian Penal Code.

The prosecution case, in short, is that the the
accused persons including the petitioner assaulted the informant
on his head with farsa and knife, due to which he sustained
injuries.

It has been submitted on behalf of the petitioner



that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. It is a case and counter case between the parties. Free fight is alleged to have taken place. The injuries on the side of the accused persons have not been explained by the prosecution. The prosecution has not come with clean hands. Except for offence under Section 307 of I.P.C., rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Gopalganj in connection with Kuchaikote P.S. case No.266 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

U		T	
---	--	---	--

