

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14080 of 2021

Arising Out of PS. Case No.-188 Year-2020 Thana- KAUWAKOL District- Nawada

ASHOK KUMAR S/o Bahadur Yadav R/o Village- Chongwa, P.S.-
Kawakole, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.
For the Opposite Party/s : Mr.Birendra Kumar, Adv.
Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-01-2022 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State through virtual
court proceedings.

Petitioner apprehends his arrest in connection with
Kawakole (Kawakol) P.S. Case No.188 of 2020, registered for
the offence punishable under sections 147, 148, 149, 341, 323,
457, 302, 504 of the IPC.

The crux of the prosecution case is that all the accused
persons including the petitioner came armed variously at the
door of the informant's brother and assaulted him
indiscriminately, due to which he fell on the ground. On alarm,
when his younger brother went to save him, the accused persons
assaulted him. It is alleged that during course of treatment the



informant's brother died.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has not committed any offence. He has been falsely implicated in this case due to dirty village politics and land dispute. There is general and omnibus allegation against the petitioner and the specific allegation is against one Mithilesh Yadav, who is said to have assaulted the informant's brother by iron rod, due to which he fell down and later died during treatment. The post-mortem report also supports this fact. It is further submitted that similarly situated co-accused has been granted bail vide Cr.Misc. No.39219 of 2020, dated 13.09.2021 by a co-ordinate Bench of this Court and petitioner has no criminal antecedent, as such, he may be enlarged on anticipatory bail.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the petitioner is also involved in the present occurrence.

In the facts and circumstance of the case, the above named petitioner, in the event of his surrender/arrest before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned Additional
Chief Judicial Magistrate-IVth, Nawada, in connection with
Kawakole (Kawakol) P.S. Case No.188 of 2020, subject to the
condition as laid down under section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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