

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5735 of 2022

Arising Out of PS. Case No.-816 Year-2021 Thana- PHULWARISHARIF District- Patna

SANTOSH KUMAR Son of Bidyanand Prasad Resident of Village - Akopur,
P.s.- Phulwari Sharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-09-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in connection with Phulwari Sharif (Janipur) P.S. Case No.816 of 2021, registered for the offences punishable under Sections 341, 323, 307, 447, 504 and 34 of the Indian Penal Code.

The petitioner and other co-accused persons are said to have assaulted the informant by means of rod, lathi and danda. Co-accused, Nikil Kumar is said to have assaulted the informant by means of rod causing injury on his head. It is alleged that when the elder brother of the informant came to save him, all accused persons assaulted him also.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is



further submitted that there is general and omnibus allegation against the petitioner and other co-accused persons. It is submitted that the specific allegation is against co-accused, Nikil Kumar that he assaulted the informant by means of rod causing injury on his head. It is further submitted that both the sides are agnates and there is admitted land dispute between the parties.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Danapur, District Patna in connection with Phulwari Sharif (Janipur) P.S. Case No.816 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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