

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16236 of 2021

Arising Out of PS. Case No.-42 Year-2020 Thana- NOKHA District- Rohtas

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VISHAMBHAR KUMAR Son of Deenanath Chaudhary Resident of Village-
Lebra Paschim Tola, P.O.- Jhalkhoriya, P.S.- Nokha, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indradeo Prasad
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-03-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Nokha P.S. Case No. 42/2020

instituted for the offences under Sections 147, 149, 341,

323, 325, 307, 504 and 506 of the Indian Penal Code.

The petitioner along with others are said to have

assaulted the members of prosecution party. One of the

victims has received grievous injury whereas rest of them

have received all simple injuries. The petitioner is not said



to have caused grievous injury. There is an eight days delay in lodging the First Information Report. The father of the petitioner also has lodged the counter version of the case vide Nokha P.S. Case No. 45/2020 in which the informant and others of the present case have been made accused. The occurrence took place over a dispute erupted during the *Holi* festivities.

On these facts, the learned counsel for the petitioner has submitted that no offence under Section 307 of the Indian Penal Code can be said to have been made out.

The father of the petitioner also has received injuries in the clash which took place between the two sides.

Considering the afore-noted submissions on behalf of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -VIII, Sasaram, in connection with



Nokha P.S. Case No. 42/2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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