

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12613 of 2022

Arising Out of PS. Case No.-657 Year-2021 Thana- AKBARPUR District- Nawada

1. RAUSHAN KUMAR Son of Late Ram Sagar Yadav Resident of Village-Pasiya Kala, Police Station- Akbarpur, District- Nawada.
2. BIDHAN KUMAR Son of Late Ram Sagar Yadav Resident of Village-Pasiya Kala, Police Station- Akbarpur, District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

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

Learned counsel for the petitioners seeks permission
of the Court to withdraw the present application in respect of
petitioner no. 2 as he has been taken into judicial custody.

Permission is accorded.

The application is dismissed as withdrawn in respect
of petitioner no. 2.

The petitioner no. 1 is apprehending his arrest in a



case registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that the accused persons, variously armed, assaulted the informant due to which he sustained injuries.

It has been submitted on behalf of the petitioner no. 1 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner no. 1. The petitioner no. 1 has falsely been implicated in the present case. As per the allegation, the petitioner no. 1 tried to assault the informant but the same did not hit which is evident from perusal of the F.I.R. itself. All the offences are bailable except Section 27 of the Arms Act.

On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner no. 1, above named, in the event of arrest/surrender before the learned court below within a period of twelve 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 Chief Judicial Magistrate, Nawada in connection with Akbarpur



P.S. Case No. 657/2021, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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