

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25144 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- ROSHANGANJ District- Gaya

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1. SHIV KUMAR YADAV SON OF BHIKHARI YADAV R/O VILLAGE-MANJURI KURD, P.S.- ROUSHANGANJ, DISTRICT- GAYA.
 2. KAMLESH YADAV @ KAMLESH KUMAR SON OF YOGENDRA YADAV R/O VILLAGE- MANJURI KURD, P.S.- ROUSHANGANJ, DISTRICT- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-01-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition against petitioner no.1, namely, Shiv Kumar Yadav.

Permission is accorded.

Accordingly, this petition is dismissed as withdrawn with regard to petitioner no.1, namely, Shiv Kumar Yadav.

So far petitioner no.2, namely, Kamlesh Yadav @ Kamlesh Kumar is concerned, he is apprehending his arrest in



a case registered for the offences punishable under Sections 143, 241, 323, 324, 308, 504 and 506 of the Indian Penal Code.

It is a case of assault and abuse to the informant by the accused persons.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is no specific allegation of assault against the petitioner no.2, namely, Kamlesh Yadav @ Kamlesh Kumar. He further submits that from perusal of the injury report, it appears that the injured has sustained a sharp cut injury on front of head but it was not referred for treatment at higher centre.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner no.2, namely, Kamlesh Yadav @ Kamlesh Kumar, in the event of his arrest or surrender before the court below within a period of four 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 Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Roushanganj P.S. Case No. 121 of 2020,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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