

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17103 of 2022

Arising Out of PS. Case No.-279 Year-2021 Thana- HARNAUT District- Nalanda

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GAUTAM KUMAR @ NITYANAND KUMAR Son of Rana Uday Singh
Resident of Village- Tira, P.O. Chero, P.S.- Harnaut, District- Nalanda, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anurag Saurav, Adv Mr. Abinav Alok, Adv Mr. Priyajeet Pandey, Adv
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-08-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 147, 148, 149, 341, 323, 324, 354(B), 307, 504 of the Indian Penal Code and section 27 of Arms Act.

Allegedly, the petitioner along with other accused persons assaulted and abused the husband of the informant. It is further alleged that the accused persons misbehaved and assaulted the informant. On protest, one Rana Uday Singh and Biro Singh



took out pistol and fired shot at Bikram Singh which hit his left thigh. Thereafter the injured was taken to hospital for treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. There is specific allegation against co-accused Rana Uday Singh to fire upon the husband of the informant. The injury was on non-vital part and was simple in nature. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, since the injuries are simple in nature and there is a case and counter-case between the parties, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned court below where the case is pending/Successor Court in Harnaut (Chero) P.S. Case No. 279 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./

(Anjani Kumar Sharan, J)

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