

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19164 of 2022

Arising Out of PS. Case No.-298 Year-2021 Thana- GRIYAK District- Nalanda

AKLESH KUMAR Son of Banaras Prasad @ Banaras Yadav Resident of
Village - Maluka Bigha, P.S.- Barsaliganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 149, 341, 323,
308, 353, 427 and 337 of the Indian Penal Code.

The informant alleges that on 15.07.2021, a tractor
laden with sand was apprehended from Kharat Mod and when the
informant was returning to the police station along with the tractor,
the owner of the tractor along with 10-12 unknown accused
variously armed came and attacked the informant and the police
force and even damaged the vehicle of the informant but somehow
the informant managed to save his life and fled from the place of
occurrence.

Learned counsel for the petitioner submits that the



petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the tractor is alleged to have been seized on 15.07.2021 and the FIR came to be instituted on 17.07.2021 i.e., after a delay of two days without any plausible explanation. Learned counsel next submits that though it is alleged that the police force was assaulted but then no one has suffered any injuries which further belies the allegation as alleged in the FIR, it is further submitted that the tractor has been released after being fined.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Giriak P.S. Case No. 298 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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