

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31800 of 2021**

Arising Out of PS. Case No.-68 Year-2020 Thana- FATEHPUR District- Gaya

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GANESHI PRASAD @ GANESH KUMAR S/o Chintamani Yadav R/o
village- Raisir, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 324, 307, 504 and 34 of the
Indian Penal Code.

The prosecution allegation, in short, is that the accused
persons including the petitioner assaulted the informant and
family members due to which they sustained injuries.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. The nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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 A.C.J.M.- X, Gaya in connection with Fatehpur P.S. Case No. 68 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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