

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35299 of 2021

Arising Out of PS. Case No.-202 Year-2020 Thana- ATRI District- Gaya

NITISH KUMAR Son of Sri Yogendra Das Resident of Village - Mopha,
Post- Maula Nagar, P.S.- Atri, District - Gaya (Bihar), Pin Code No.- 823311.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Patel, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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, 504, 506, 307 and 354/34 of the
Indian Penal Code.

Allegation is that the petitioner assaulted the informant by
means of stone on her head, due to which he sustained injuries. The
petitioner also assaulted the father-in-law of the informant by means
of lathi, due to which he 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. For a petty reason, the



alleged occurrence is said to have taken place. From the order of the Sessions Court, it appears that the final injury report has not been produced by the I.O. It cannot be ascertained whether the nature of injury is simple or grievous. Except for offence under Section 307 of I.P.C., rest of the offences are triable by the Magistrate.

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

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Atri P.S. case No.202 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

