

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44460 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- GARDANIBAG District- Patna

Himanshu Kumar S/O Ravindra Yadav @ Ravindra Prasad Resident Of
Bhikhachak, Ps Gardanibagh, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. D.K. Sinha, Sr. Adv. Mr. Alexander Ashok, Adv.
For the O.P.	:	Mr. Ramakant Sharma, Sr. Adv.
For the State	:	Mr. Mukeshwar Dayal, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-03-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehends his arrest in connection with Gardanibagh P.S. Case No.60 of 2021 registered for the offence under Sections 341, 323, 325, 307, 379, 504, 506 and 34 of the IPC.

Prosecution case in short is that, informant's cousin brother and his friend are the owner of the community Hall near Bye Pass. It is further said that accused persons including the petitioner are giving threatening to the informant and insisted to close the community Hall. On 05.02.2021 when informant's cousin brother and his friend are talking together then the accused persons including the petitioner armed with iron rod,



danda and hockey came and started beating and abusing them. In this course the accused Devanshu Kumar assaulted on the head of cousin brother of the informant with iron rod and also assaulted him at left leg causing fracture. Accused Rabindra Yadav assaulted informant's friend on the head with lathi and the Himanshu Kumar (petitioner) assaulted them with *danda* and rod. In the meantime accused Ravindra Yadav took away gold chain from the neck of cousin brother of the informant. Thereafter, injured persons are carried to the hospital for treatment.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to land dispute. He further submits that no case is made out under Section 307 of the IPC and the injuries sustained by informant's cousin brother and his friend are simple in nature and not on the vital part of the body. Learned counsel appearing on behalf of the petitioner submits that petitioner is not present at the time of occurrence. Petitioner has got no criminal antecedent.

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

Having heard learned counsel for the parties and in



the facts and circumstances of the case as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of communication of this order is directed to 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 Sub-Judge,XIV-cum-ACJM, Patna in connection with Gardanibagh P.S. Case No.60 of 2021, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Prakash Narayan /-

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