

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42011 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- BIDUPUR District- Vaishali

Nitin Kumar @ Nitin Kumar Thakur Son Of Prem Lal Thakur R/O Village-
Bhikhanpura, P.S.- Desari, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42452 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- BIDUPUR District- Vaishali

Subhash Kumar @ Subhash Kumar Thakur Son of Aklesh Thakur @
Akhilesh Thakur Resident of Village - Bhikhanpura, P.s.- Desari, Distt.-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 42011 of 2022)

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

(In CRIMINAL MISCELLANEOUS No. 42452 of 2022)

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022

CRIMINAL MISCELLANEOUS No.42011 of 2022

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 307, 379, 504, 506 and 34 of the Indian Penal Code.



Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 26.02.2022, he was going to A.N.S. Nursing Home for taking blood when Vikram called him for taking blood of one of his family members, further Vikram along with the petitioner and others assaulted the informant on the way and Ranjan snatched Rs. 50,000/-, thereafter Nitin assaulted on head by a liquor bottle and rest accused assaulted by knife and thereafter he was taken to hospital from where he was referred to P.M.C.H.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that allegation of causing stab injury to the informant is general and omnibus in nature, it is further submitted that as far as this petitioner is concerned, he is alleged to have assaulted the informant on head by a bottle, it is also submitted that from perusal of the impugned order it would manifest that the wound is lacerated caused by hard and blunt substance. Learned counsel submits that petitioner is a young boy aged about 20 years, further the date of occurrence is 26.02.2022 and the *fardbeyan* of the informant has been recorded on 01.03.2022 at P.M.C.H. which also creates doubt



with regard to the veracity of the allegations as alleged, it is thus submitted that if the occurrence had taken place on 26.02.2022 then how come the *fardbeyan* of the informant was not recorded at the hospital where he was admitted initially from where he was referred to the P.M.C.H., it appears that the occurrence took place in some other manner and the informant taking advantage of the same, falsely implicated the petitioner when there is specific allegation that informant had dispute with Vikram.

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 Court below within a period of six 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 the learned court below where the case is pending/successor court in connection with Bidupur P.S. Case No. 106 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. with a further condition that one of the bailors of the petitioner shall be his father, Prem Lal Thakur.



CRIMINAL MISCELLANEOUS No. 42452 of 2022

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 26.02.2022, he was going to A.N.S. Nursing Home for taking blood when Vikram called him for taking blood of one of his family members, further Vikram along with the petitioner and others assaulted the informant on the way and Ranjan snatched Rs. 50,000/-, thereafter Nitin assaulted on head by a liquor bottle and rest accused assaulted by knife and thereafter he was taken to hospital from where he was referred to P.M.C.H.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case and he relies on an order dated 12.12.2022 in Cr. Misc. No. 42011 of 2022, it is further submitted that as far as this petitioner is concerned, the allegations against him are general and omnibus in nature.

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 Court below within a period of six 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 the learned court below where the case is pending/successor court in connection with Bidupur P.S. Case No. 106 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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