

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43438 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- HATHUA District- Gopalganj

NANDAN KUMAR @ NANDAN KUMAR KUSHWAHA Son of Brij Kishor Singh @ Brij Kishor Bhagat Resident of village- Sajana Makariar, P.S- Zeradei, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354, 379, 504 and 506 of the Indian Penal Code.

Allegation against the petitioner is that he along with other co-accused persons is said to have assaulted the informant and his family members by means of lathi, danda, farsa and also snatched a golden chain of the wife of the informant worth Rs.30,000/-.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that petitioner is named in the F.I.R. due to maternal brother



of other co-accused. He submits that similarly situated co-accused has already been granted bail by a Bench of this Court vide order dated 07.04.2022 passed in Cr. Misc. No. 43384/2021. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that other co-accused has already been granted anticipatory bail by the coordinate bench of this court, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five 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 Hathwa P.S. Case No. 63/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

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

