

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46335 of 2022

Arising Out of PS. Case No.-125 Year-2020 Thana- KATHAIYA District- Muzaffarpur

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UMESH KUMAR @ UMESH KUMAR RAI @ UMESH RAI Son of Late
Nathuni Rai Resident of village - Harpur, P.S.- Kathiya, District -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed
by the petitioner apprehending his arrest in connection with Kathaiya
P.S. Case no. 125 of 2020 instituted for the offence under Sections
447, 341, 323, 325,307, 354, 504/34 of the Indian Penal Code.

As per allegation in the FIR, five accused persons
including the petitioner assaulted the informant as a result of which
his left hand broken. When his son, nephew, niece and daughter came
there to rescue him, they were also beaten up by them as a result of
which they also sustained injuries. It is further alleged that co-
accused Mukesh and Suresh snatched gold chain, ear ring amounting
to Rs. 50,000/-

Learned counsel appearing on behalf of the petitioner has



submitted that petitioner is innocent and has committed no offence. The alleged occurrence took place due to previous enmity. Similarly situated other three accused persons have already been granted anticipatory bail vide order dated 29.02.2022 in Cr. Misc. No. 2421 of 2021. Petitioner has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kthaiya P.S. Case no. 125 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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