

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48271 of 2022

Arising Out of PS. Case No.-18 Year-2020 Thana- HALSI District- Lakhisarai

Pawan Kumar S/O Bahadur Yadav Resident of village- Rata Konag, P.S.-
Halsi, District- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Mukesh Kumar, Advocate

For the Opposite Party : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 302/34 of the Indian
Penal Code.

The allegation against the petitioner is that he along with
other co-accused brutally assaulted the son of the informant,
who later died during the course of the treatment.

It is submitted by learned counsel for the petitioner that
the petitioner has been falsely implicated in this case and not
named in the F.I.R. The petitioner has no criminal antecedent.
No such occurrence, in the manner as alleged, has ever taken
place. The allegation leveled against the petitioner is not
specific rather general and omnibus in nature. Learned counsel



for the petitioner further submits that there is no specific overt act against the petitioner. The specific allegation is against co-accused Masudan Yadav and Nilesh Kumar. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, 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 Halsi P.S. Case No. 18 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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