

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71299 of 2021

Arising Out of PS. Case No.-61 Year-2016 Thana- ATHMALGOLA District- Patna

Nawal Rai @ Nawal Kumar, Son of Ramchandra Singh Resident of Village -
Chanda, P.s.- Athmalgola, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 07-06-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

Learned counsel for the petitioner is permitted to
remove the defect/(s), as pointed out by the office, if any, within
a period of four weeks from today.

This is an application for grant of anticipatory bail in
connection with Athmalgola P.S. Case No. 61 of 2016 registered
for the offences punishable under Sections 147, 148, 447, 323,
379, 307, 504, 385 of the Indian Penal Code.

Allegation against the petitioner and other co-accused
persons is that they assaulted the informant and other co-
villagers and also looted the articles and cash from his *gumti* on
demand of sale price of cigarette.

Learned counsel for the petitioner submits that



petitioner and informant are resident of nearby village and there is no injury report as alleged in FIR, so no case is made out against the petitioner under Section 307 of the IPC. He further submits that from perusal of the order of learned SDJM, Barh, Patna, it is evident that both the parties have settled the matter and filed a compromise petition in the court below. He further submits that petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail of the petitioner.

Considering the aforesaid submissions made on behalf of the parties, nature of allegation and that petitioner has no criminal antecedent, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Barh, Patna in connection with Athmalgola P.S. Case No. 61 of 2016, subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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