

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.202 of 2022

Arising Out of PS. Case No.-82 Year-2021 Thana- SILAO District- Nalanda

NITISH KUMAR Son of Mahendra Yadav @ Mohan Yadav R/o Village-
Kamdarganj, P.S.- Silao, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2022 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 143, 148, 149, 341, 323, 325, 379, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant alleges that when his father had gone for milking cow and had reached near Anganwadi Kendra, the accused persons, including the petitioner, on account of previous enmity surrounded him and Raj Kishor Yadav gave order to kill on which it is alleged that petitioner assaulted with *lathi* causing injury on left hand of the father of the informant and Mukesh Yadav, Dharmendra Yadav



and Tuntun Yadav assaulted his father fracturing both his hands, it is next alleged that the accused persons fled from the place of occurrence after throwing him in the field thinking that he had died and even stole Rs. 5,000/- from the victim.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR it would manifest that against this petitioner, it is alleged that he assaulted the father of the informant with *lathi* on his hand whereas allegation of causing fracture of both the hands are on Mukesh, Dharmendra and Tuntun Yadav, it is thus submitted that even presuming what has been alleged against the petitioner is true, without admitting for the purposes of anticipatory bail, then the allegation of assault is on non-vital part of the body though no injury was caused on account of the assault made by the petitioner, it is next submitted that petitioner is a young boy of 24 years of age.

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 Silao P.S. Case No. 82 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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