

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60561 of 2022

Arising Out of PS. Case No.-422 Year-2022 Thana- BIHAR District- Nalanda

SHIV KUMAR YADAV S/o Ambika Yadav R/o Village/Mohalla- Shaluganj,
P.S.- Biharsharif, Distt- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-12-2022 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 341, 323, 307, 337, 338, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that accused persons, including the petitioner, intercepted her and her son and assaulted them by fist, rod and *lathi* and snatched Rs. 15,300/- from her purse, further Shiv Kumar and Ambika assaulted her son by an iron rod causing injury on his head.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is



next submitted that informant has alleged that Ambika along with this petitioner assaulted her son by brick and iron rod causing injury on his head, it is further submitted that the nature of allegation is though general and omnibus in nature but then whether the grievous injury caused to her son was by the assault of this petitioner or Ambika is not clear. Learned counsel submits that from perusal of the injury report it would manifest that the injured was examined on 14.06.2020 when the alleged occurrence is of 06.06.2020 which further creates doubt with regard to the veracity of the allegations as alleged in the FIR, it is further submitted that though he was examined on 14.06.2020 but the age of the injury recorded is within six hours which further creates doubt as to whether the occurrence, as alleged, had taken place or not.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Bihar
P.S. Case No. 422 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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