

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2001 of 2023**

Arising Out of PS. Case No.-519 Year-2022 Thana- KAHALGAON District- Bhagalpur

NITISH KUMAR YADAV @ NITESH KUMAR YADAV SON OF NIRAJ
YADAV @ NIRANJAN KUMAR YADAV R/O VILLAGE- RANIPUR, P.S.-
KAHALGAON, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr. Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 23-05-2023 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, 325, 379, 506 and 34 of the Indian Penal Code.

The informant alleges that on 06.06.2022 at 11:00 pm while he was going to his in-laws place on a motorcycle when near village Lagma, four named accused persons intercepted and assaulted him with lathi, danda and rod injuring his wrist, it is next alleged that the informant, thereafter, leaving his motorcycle, ran to his in-laws place and when he returned back with his in-laws, he found his motorcycle missing and even the accused persons were not present in their house.



Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from tenure of the allegations as alleged in the FIR, it would manifest that the accused persons and the informant were known to each other, it is further submitted that it absolutely does not stand to reason that as to why the petitioner would have assaulted the informant when he had come to his village for meeting his in-laws, it is further submitted that there is no specific allegation of assault against the petitioner, it is next submitted that since the in-laws of the informant are having dispute with the petitioner and other accused persons, as such, they came to be falsely implicated by the informant, it is further submitted that even the FIR was not instituted on the date of occurrence.

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

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 trial court 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 trial court where the case
is pending/successor court in connection with Kahalgaon P.S.
Case No. 519 of 2022 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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