

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6332 of 2023

Arising Out of PS. Case No.-329 Year-2022 Thana- PALIGANJ District- Patna

NIKESH KUMAR @ CHOTE KUMAR Son of Amrendra Singh R/v-
Ankuri, P.S.- Paliganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shadab Akhter, Adv.

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

Mr. Ashok Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 34 of the Indian Penal Code.

Allegedly, on the behest of the petitioner, one co-accused Kunal Kishore gave a knife blow on the informant's head with an intention to kill him.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are co-villagers. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to previous enmity. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The entire allegations as alleged in the FIR against the petitioner is false, concocted and fabricated. There is specific allegation against



one co-accused Kunal Kishore that he gave knife blow to the informant due to which he sustained injuries. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he hold the informant from back and gave order to one Kunal Kishore to kill him. As the nature of the offence is serious, he does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, as the petitioner was merely an order giver, 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 Paliganj P.S. Case No. 329 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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