

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4040 of 2023

Arising Out of PS. Case No.-302 Year-2022 Thana- BANKA District- Banka

1. Nitesh Kumar Yadav @ Nitesh Kumar @ Nitesh Kumar Yadav Son Of Vijay Yadav @ Vijay Kumar Yadav R/O Vill.- Kunauni, P.S.- Banka, Distt.- Banka
2. Gunjan Yadav Son Of Jay Prakash Yadav R/O Vill.- Kunauni, P.S.- Banka, Distt.- Banka
3. Kamik Yadav Son Of Late Abho Yadav R/O Vill.- Kunauni, P.S.- Banka, Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-06-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 448, 354, 379, 506 and 34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant by means of lathi.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the injury found upon the victim is simple in nature. He submits that there is no specific overt act against the petitioners. He submits that there is general and



omnibus allegation levelled against the petitioners. He further submits that the petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the nature of injury, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five 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 Banka P.S. Case No. 302 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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