

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12159 of 2023

Arising Out of PS. Case No.-57 Year-2020 Thana- KHODAWANDPUR District- Begusarai

Gaurav Kumar Son Of Mukesh Kumar @ Mukesh Kumar Jha R/O Vill.-
Begampur, Ward No. 03, P.S.- Khodabandpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State assisted by learned counsel for the

informant.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the petitioner is said to
have assaulted the informant by means of axe causing injury to
him.

Learned counsel for the petitioner submits that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.
He submits that the police after investigation submitted charge



sheet against the petitioner under Sections 341, 323, 324, 504, 506 and 34 of the IPC, as enclosed in Annexure-2 of the bail application in which cognizance was taken. Being aggrieved, the informant has challenged the order of cognizance and filed a revision application before the learned Additional Sessions Judge-II, Begusarai. After hearing the parties, learned Additional Sessions Judge-II allowed the said application and directed the learned court below to consider the matter afresh. Thereafter, cognizance was taken under Section 307 of the IPC against the petitioner. The petitioner is a student. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed prayer for anticipatory bail and submitted that the injury found upon the victim is grievous in nature.

Considering the facts and circumstances of the case, argument of the parties and perusal of records, 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 Khodabandapur P.S. Case No. 57 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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