

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11743 of 2023

Arising Out of PS. Case No.-53 Year-2020 Thana- ATRI District- Gaya

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AMIT KUMAR @ NITISH KUMAR Son of Abdhesh Kumar R/v-
Dariyapur, P.S.- Atri, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-05-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

Allegedly, the co-accused Anant Kumar took out pistol from his waist and the petitioner armed with iron rod and *lathi* assaulted the informant due to which he got injured.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. There is no



specific overt act against the petitioner. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her 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 Atri P.S. Case No.53 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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