

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15911 of 2023

Arising Out of PS. Case No.-776 Year-2022 Thana- BRAHMPUR District- Buxar

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META YADAV @ ANISH KUMAR S/O SRI CHANDESHWAR SINGH
Resident of Village- Dubhuki, P.O.- Ariyawan, Dumraon, P.S.- Brahampur,
District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-04-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks pre-arrest bail in connection with Brahampur P.S. Case No. 776 of 2022 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution story in brief is that 8 persons armed with iron rod, bat and butt started assaulting the informant who sustained injury on the spiral region, the victim was referred to PMCH.

4. Learned counsel appearing on behalf of the petitioner submits that no specific allegation has been made against the present petitioner, namely, Meta Yadav @ Anish



Kumar, however, he has not denied that the informant has sustained injury. Petitioner is a student of B.A. Part-I and is also to take his examination which is going to be held on 14.05.2022 which is for the selection of Prohibition Constable. Learned counsel submits that the career of the petitioner will be ruined because of this frivolous allegation against him and on these grounds, he seeks to be released on bail. Learned counsel for the petitioner further submits that the petitioner was not present at the time of alleged occurrence rather he was attending his college.

5. Learned counsel for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the nature of allegation as well as the fact that there is previous dispute between the parties, no allegation has been made in the F.I.R. that it is the petitioner who has assaulted and which has caused the injury on the aspiral region, I am of the opinion that the petitioner has prima facie made out a case to be released on bail. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of



learned Chief Judicial Magistrate, Buxar, in connection with
Brahampur P.S. Case No. 776 of 2022, subject to the condition
laid down under Section 438 (2) of the Code of Criminal
Procedure and with a further condition that if the statement
made in paragraph No.3 of the present bail application with
respect to the criminal antecedent of the petitioner is found to be
incorrect, this order will automatically will loose its force.

(Purnendu Singh, J)

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