

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17548 of 2023

Arising Out of PS. Case No.-51 Year-2021 Thana- TETERHAT District- Lakhisarai

GAUTAM KUMAR SON OF VIDYA SAGAR SINGH Resident of village-
Saundhi, P.S.-Tetarhat, District-Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uma Shankar Prasad Singh, Advocate

For the Opposite Party/s : Mr.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Tetarhat P.S. Case No.51 of 2021, registered for offences under Sections 341, 323, 308, 379, 504, 427 and 34 of the IPC.

The son of the informant is stated to have gone to a temple on the alleged date and time of the occurrence for laying tiles and when he was digging earth for fixing tiles in the temple, in front of the house of Vidya Sagar Singh, the co-accused persons, including the petitioner herein



had arrived there and assaulted the son of the informant, resulting in him sustaining injuries.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has produced a copy of the final form, submitted by the police, dated 19.05.2021, which has been taken on record, to submit that as far as the petitioner is concerned, the police has not sent him up for trial and has found the incident to be untrue qua him, however, the learned trial Court has differed from the same and taken cognizance for the offences alleged, against the petitioner as well.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials



available on record as also considering the fact that the police has not found the petitioner to be having any complicity in the matter, apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Lakhisarai in connection with Tetarhat P.S. Case No.51 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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