

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23269 of 2023

Arising Out of PS. Case No.-575 Year-2022 Thana- HARSIDHI District- East Champaran

Vishnu Thakur @ Pulish Thakur S/O Harindra Thakur R/O Village-
Hasuahan, P.S- Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 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 Harsidhi P.S. Case No.575 of 2022, registered for offences under Sections 341, 323, 324, 307/34 of the IPC.

The case of the prosecution, in brief, is that when the informant was coming back from his coaching class on 08.11.2022, at 12.30 p.m., his co-villager Sashikant Kumar had pushed and kicked him, whereafter the father of the said Sashikant Kumar, i.e. the petitioner herein had caught hold of the informant and ordered to kill, whereupon the



said Sashikant Kumar had given a knife blow on the right side of the chest of the informant resulting in him sustaining injuries.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is not alleged to have inflicted any knife blow on the person of the informant rather it is his son, who had inflicted knife blow on the right side of the chest of the informant resulting in him sustaining grievous injuries, hence, the petitioner be granted the privilege of anticipatory bail.

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 petitioner has not been alleged to have assaulted the informant, 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Harsidhi P.S. Case No.575 of 2022, 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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