

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23369 of 2023

Arising Out of PS. Case No.-611 Year-2021 Thana- SUPAUL District- Supaul

NITISH KUMAR @ NITISH YADAV SON OF KUSHESHWAR YADAV
R/O VILLAGE- ITAHARI, WARD NO.15, P.S.- SUPAUL, DISTRICT-
SUPAUL, STATE- BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 342,
323, 324, 506, 307 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that Maheshwari Yadav and Kusheshwar Yadav tied the
informant's neck by a turban and pulled him with a view to kill
him on account of which he became breathless and felt uneasy
and thereafter Om Prakash and Pappu Yadav with an intention
to kill him assaulted by *Dabia* causing injury on head. It is next
alleged that petitioner also caught him.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that co-accused Maheshwari Yadav has been granted the privilege of anticipatory bail by order dated 03.08.2022 in Criminal Miscellaneous No. 14014 of 2022 by a learned Co-ordinate Bench. It is next submitted that the case of the petitioner is on better footing than Maheshwari Yadav.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Supaul P.S. Case No. 611 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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