

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32890 of 2022**

Arising Out of PS. Case No.-628 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Mithun Yadav @ Mithun Kumar Son Of Bhedi Yadav Resident Of Village -
Housing Board Colony, P.S.- Barari, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 16-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324, 379, 504, 506 of the Indian Penal Code.

Petitioner along with other accused persons are said to have assaulted the informant by means of lathi, danda and rod.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that there is specific allegation against co-accused Pradeep Yadav who assaulted the informant by means of rod. He submits that there is no specific overt act against the petitioner. He further submits that petitioner



has one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the injury found upon the victim is grievous in nature.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Kotwali (Barari) P.S. Case No. 628 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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