

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35337 of 2023**

Arising Out of PS. Case No.-508 Year-2022 Thana- ATRI District- Gaya

BITTU KUMAR son of Dinesh Yadav Village- Mahmadpur Ps- Atri Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 27-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 307, 379 and other allied Sections of the Indian Penal Code.

3. Allegedly, the petitioner and other co-accused persons surrounded the informant and abused him. It is alleged that the petitioner threw the informant on ground and co-accused Mukesh assaulted him from the butt of pistol.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the



petitioner. The specific allegation is against the co-accused namely, Mukesh Kumar to assault the informant. He further submits that the informant received one injury on the elbow which is of simple in nature. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of injury, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, 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 Atri P.S. Case No.508 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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