

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42007 of 2023**

Arising Out of PS. Case No.-608 Year-2022 Thana- BARHARA District- Bhojpur

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Birendra Bin Son Of Thakur Bin, Resident of Village- Naya Khawaspur, P.S.-  
Krishngarh (O.P.), Distt.- Bhojpur ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate  
For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      02-08-2023                      Heard learned Counsel for the petitioner and learned  
  
APP for the State.

2. The petitioner is apprehending his arrest in connection with Barahara (Krishna Garh) P. S. Case No. 608 of 2022 registered on 16.08.2022 for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 354(B), 448, 379, 504 and 506 of the Indian Penal Code and Section 27 of Arms Act.

3. According to the prosecution, the F.I.R. has been lodged against 22 named accused persons. As per the F.I.R., the specific allegation against the present petitioner is that he has assaulted one Govind Kumar Thakur, due to which he injured.

4. Learned counsel for the petitioner submits that informant and petitioner both are resident of the same village. From the content of F.I.R. itself it transpires that both the parties are well known to each other and for petty issues on the said date and time, both parties started scuffle with each other, in result injury caused to both sides. It has been submitted that for

the same date, time and place of occurrence i.e. 10.00 p.m. dt. 12.08.2022 there are two criminal cases bearing Barahara (Krishna Garh) P.S. Case No. 608 of 2022 and Barahara (Krishna Garh) P.S. Case No. 609 of 2022 were lodged. Counsel further submits that antecedent of the petitioner is clean. He further submits that co-accused of this case has already been granted bail by the Co-ordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No. 13222 of 2023.

5. Learned APP for the State opposes the prayer for bail.

6. In the aforesaid facts and circumstances, let the above-named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Barahara (Krishna Garh) P.S. Case No. 608 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dr. Anshuman, J.)**

ravishankar/-

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