

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42173 of 2023**

Arising Out of PS. Case No.-74 Year-2023 Thana- NALANDA District- Nalanda

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RAJEEV KUMAR S/O MANOJ YADAV R/O VILLAGE- KAPARSARI PS.  
NALANDA, DIST. NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      08-08-2023                      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 342, 323, 504, 307, 354 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.
4. The informant alleges that on account of dispute relating to partition, Akhilesh and Manoj caught him while petitioner assaulted by axe twice causing injury on head, thereafter, Manoj assaulted by *Khanti* on head causing injury, it is next alleged that petitioner also assaulted his wife and son by axe causing injury on their heads.
5. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that petitioner is a young boy aged about 18 years and is own nephew of the informant and is son of Manoj who is own brother of the informant. It is further submitted that in order to coerce Manoj into submission, the petitioner came to be implicated with the aforesaid allegations. It is further submitted that from perusal of *Annexure-3* to the anticipatory bail application, it would manifest that the injuries suffered by the injured persons are simple in nature caused by hard and blunt substance, it is next submitted that the injury, as recorded by the doctor, is said to be caused by hard and blunt substance, when it is alleged that petitioner assaulted the injured by an axe which is a sharp weapon which further casts an aspersion on the case of the prosecution. It is further submitted that petitioner is a young boy aged about 18 years and in the event if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminals.

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

7. 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 Nalanda P.S. Case No. 74 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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