

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40676 of 2022

Arising Out of PS. Case No.-50 Year-2020 Thana- NAGARNAUSA District- Nalanda

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DEVENDRA PRASAD @ BHATAULI @ BHUTALI Son of Late Kishori
Singh Resident of village - Moniumpur, P.S. - Nagarnausa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioner and learned A.P.P. for
the State.

Learned counsel for the petitioner undertakes to remove the
defect (s), as pointed out by the office, within a period of four weeks.

The petitioner apprehends his arrest in a case registered for
the offences punishable under Section 147, 148, 149, 342, 323, 504
and 302 of the Indian Penal Code and Section 27 of Arms Act.

Allegedly, petitioner along with other co-accused persons
armed with various deadly weapons came to the husband of the
informant. They assaulted her husband. Petitioner is said to have
assaulted her husband with butt of gun. Thereafter they fled away
from the spot.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No such
occurrence as alleged ever took place. He has been falsely



implicated in this case due to village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The occurrence took place but the petitioner himself was not present in the alleged occurrence. Both sides have filed cases against each other. After the investigation, the police has filed the final form against the petitioner but the learned Court below differing the police report, took cognizance against the petitioner. Petitioner has three criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the police has filed the final form, let the above named petitioner, be released on bail, in the event of his 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 Nagarnausa P.S. Case No. 50 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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