

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44421 of 2023

Arising Out of PS. Case No.-95 Year-2023 Thana- BIHIA District- Bhojpur

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NAND KISHOR YADAV @JHAMELI S/O PACH RATAN YADAV R/O
Village- Karja, P.S- Behiya, Distt.- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Govind Mishra

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard the parties.

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

3. Allegedly, the petitioner assaulted the informant by means of *lathi* on his head due to which he got injured.

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. He further submits that the bail application of the petitioner was rejected by the learned Court below on the ground that the injury is on the vital part of the body but the



same is of simple 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 Behiya P.S. Case No.95 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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