

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49198 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- HATHUA District- Gopalganj

Sudheshwar Pandey S/O Maheshwari Pandey R/O Nayagaon, P.S.-Hathua,
District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution, a case has been lodged against 2 named accused persons, alleging that when the informant was returning to his village then the petitioner with the other accused person stopped him started abusing him. The specific allegation is against one Krishna Pathak is that he assaulted with the butt of a pistol on the informant's head and snatched money from him.

4. It is submitted by learned counsel for the petitioner that specific allegation against the present petitioner is to assault

on the head of the informant and vide Annexure-2 the injury report has been annexed, from which it transpires that the injury caused by the hard and blunt substance on the head of the informant is simple in nature. He further submits that antecedent of the petitioner is clean and the co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 11.08.2023 in Cr. Misc. No.49484 of 2023. Counsel further submits that allegation in the FIR is against the said Krishna Pathak and not present petitioner.

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

6. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIV, Gopalganj, in connection with Hathua P. S. Case No.52 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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