

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49540 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- OBRA District- Aurangabad

VIKASH KUMAR S/O Mithlesh Kumar R/O Village- Kajhama, P.O- Aranda,
P.S- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-10-2023 Heard the parties.

2. The petitioner apprehend his arrest in connection with Obra P.S. Case No.107 of 2023, registered for the offence punishable under Sections 307, 379 and other allied Sections of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons assaulted the informant's side by means of several weapons due to which they sustained injuries.

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. There is a case and counter-case between the parties and both sides have sustained injuries. He further submits that two of the independent



witnesses have not supported the prosecution case. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner assaulted Pramod Singh as a result of which he sustained grievous injury.

6. Having regard to the facts and circumstances of the case as well as considering the nature of injury, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law considering that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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