

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53688 of 2023**

Arising Out of PS. Case No.-281 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

NIGAM PANDEY @ NIGAM KUMAR PANDEY SON OF LAKHANDAR
PANDEY RESIDENT OF VILLAGE- MANGRU CHAPRA, PS-
BAIKUNTHPUR, DISTT- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 23-08-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

2. This is an application for grant of anticipatory bail in connection with Baikunthpur P.S. Case No. 281 of 2022, registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

3. The allegation, according to the informant, is regarding the accused persons including the petitioner herein having intercepted the informant while he was going towards Lakhnaura Bazar on 13.9.2022 at about 8:30 am. and then, the accused persons had assaulted him and as far as the petitioner is concerned, he is stated to have assaulted the informant by Bhuajari (बेत), whereafter the miscreants had snatched a sum of



Rs. 1,000/- and one gold ring of the informant, whereupon, they had fled away.

4. The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has submitted, by referring to the impugned order dated 28.4.2023, that the injury, sustained by the informant, has been found to be simple in nature, hence, the petitioner be granted benefit of doubt for the purposes of grant of the privilege of anticipatory bail.

5. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the injury, sustained by the informant, attributable to the petitioner herein, has been found to be simple in nature, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before



the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Baikunthpur P.S.Case No. 281 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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