

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56130 of 2023

Arising Out of PS. Case No.-707 Year-2022 Thana- BODHGAYA District- Gaya

ABHISHEK KUMAR @ PRINCE KUMAR @ KARU S/O LAL
BAHADUR PASWAN R/O VILLAGE- KARMA DHAB, PS. CHERKI
(BODH GAYA), DIST. GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-11-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506, 379, 427, 34 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner are said to have abused and assaulted the informant and his family members. Petitioner assaulted the informant by means of sword on his head causing head injury to him.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are co-villagers. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is



not specific rather general and omnibus in nature. There is admitted land dispute between the parties. There is case and counter case between the parties. Though there is allegation against the petitioner that he assaulted the informant Vikash Kumar by means of sword, but as per the injury report, the injury caused by this petitioner to the informant is simple in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as the injury caused by this petitioner to the informant is simple in nature, 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 Bodh Gaya (Cherki) P.S. Case No. 707 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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