

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54663 of 2022

Arising Out of PS. Case No.-169 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

Mithlesh Yadav, Son of Late Chamari Yadav, Resident of Village - Sonsa,
P.S.- Nimchak Bathani, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 19-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Nimchak Bathani P. S. Case No. 169 of 2020 registered for the offences punishable under Sections 341, 323, 308 and 504 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the son of the informant was coming to his house with cow. In the meantime, all the accused persons including the petitioner surrounded him and started assaulting him with Lathi-Danda. On hearing hulla, the wife of the informant came to rescue, she was also assaulted by



them, due to which she sustained head injury. The reason behind the occurrence is said to be old land dispute. In that course, the informant also received injury.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is case and counter case between the parties. Learned counsel further submitted that there is general and omnibus allegation against the petitioner. He has also submitted that the injuries of the injured caused by hard and blunt substance are found to be simple in nature. He next submitted that co-accused persons have already been granted anticipatory bail by the co-ordinate Bench of this Court vide order dated 25.08.2022 passed in Cr. Misc. No. 6708 of 2022. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Nimchak



Bathani P. S. Case No. 169 of 2020, subject to conditions as laid
down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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