

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56420 of 2023**

Arising Out of PS. Case No.-273 Year-2022 Thana- CHERIYA BARIYARPUR District-  
Begusarai

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Kanhaiya Kumar @ Kanhaiya Kumar Paswan S/o Late Vijay Paswan  
Resident of Village-Karor, Khanjhapur, P.S.-Cheriya Bariyarpur, District-  
Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

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

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

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

- 2     30-08-2023     1.            Heard the learned counsel for the  
petitioner and learned APP for the State.
2.            This is an application for grant of  
anticipatory bail in connection with Cheriya  
Bariyarpur P.S. Case No.273 of 2022, registered for  
offences under Sections 341, 323, 307, 504, 354,  
379, 506/34 of the IPC.
3.            The allegation is regarding the petitioner  
having arrived at the informant's place on  
motorcycle, whereafter the petitioner is stated to  
have abused and repeatedly assaulted the  
informant with the butt of countrymade pistol,  
causing grievous head injuries upon the informant.



4. The learned counsel for the petitioner has submitted 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 further submitted that the injury, whatsoever sustained by the informant has been found to be simple in nature and the same can be verified by the learned trial court.

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 parties and taking into account the materials available on record as also considering the fact that the petitioner is having a clean antecedent and according to him, the injuries sustained by the informant have been found to be simple in nature, though I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, subject to verification of the injuries



sustained by the informant by the learned Trial Court, in order to ascertain as to whether the injuries sustained by him are simple in nature or not and further subject to such other condition as may be deemed fit and proper to be imposed for the purpose of grant of anticipatory bail to the petitioner herein by the learned Court of ACJM, Manjaul, District-Begusarai in connection with Cheriya Bariyarpur P.S. Case No.273 of 2022.

7. Accordingly, the present petition stands disposed off on the aforesaid terms.

**(Mohit Kumar Shah, J)**

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