

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57274 of 2022

Arising Out of PS. Case No.-278 Year-2020 Thana- KANKARBAG District- Patna

1. SHASHI KUMAR S/o Akhilesh Yadav Resident of Mohalla- Postal Park, Budh Nagar, Road No-1, P.S.- Kankarbagh, District- Patna.
2. AKHILESH YADAV @ AKHILESH KUMAR YADAV S/o Late Ramdas Yadav Resident of Mohalla- Postal Park, Budh Nagar, Road No-1, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Kankarbagh P.S. Case No. 278 of 2020 for the offence registered under Sections 323, 341, 342, 324, 307, 504 and 506/34 of the Indian Penal Code.

As per the prosecution story, the informant alleged that the accused persons while returning home after closing shop, spitted on him and upon protest assaulted.

Learned counsel for the petitioners submit that there is case and counter case, their case being earlier to it in which they also received injuries. The further submission is that nature of



the injuries have been found to be simple in nature. Further the submission is that without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 15,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials. Lastly, he submits that they do not have criminal antecedent.

Learned APP for the State opposes the prayer for anticipatory bail and submits that this petitioners are strong headed persons, who unnecessary create problems to the passers-by.

Considering the fact that none of them have criminal antecedents, injuries have been found to be simple in nature and ultimately, he has to face the music, this Court is inclined to grant him privilege of anticipatory bail subject to payment of Rs. 15,000/ as stated above.

Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of



Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna in connection with Kankarbagh P.S. Case No. 278 of 2020, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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