

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58661 of 2023

Arising Out of PS. Case No.-45 Year-2021 Thana- AUANGARI District- Nalanda

Vikash Kumar S/O Kiltip Giri @ Kuldip Giri Residents Of Village Sultanpur
Ps Aungari District Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 13-09-2023 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 308, 504, 379, 506, 34 of the Indian Penal Code.

3. As per the prosecution, a case has been lodged against 4 named accused persons, including the present petitioner. It has been alleged in the FIR that for the verification of theft of *30 man* wheat the accused petitioner reached to the nephew of the informant and his father because they were selling the wheat. It has been alleged that the 4 named accused persons assaulted the nephew of the informant with *lathi*, due to which injury took place on his head.

4. It is submitted by learned counsel for the petitioner

that petitioners is innocent and has committed no offence. Counsel submits that it is true that the name of the petitioner is there in the FIR but there is absolutely no direct allegation against him. He further submits that Annexure -2 is the injury report form which it has come that the injury that has taken place is simple in nature. He also submits that antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail but also accepts that there is basically no direct allegation against the present petitioner.

6. In the present facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Aungari P. S. Case No.45 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Ashishsingh/-

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