

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63153 of 2023

Arising Out of PS. Case No.-16 Year-2023 Thana- LACHHUAR District- Jamui

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Brajesh Kumar @ Brajesh Yadav @ Brajesh Kumar Yadav (Male), aged about 25 years, Son of Mahjeshwar Prasad Yadav @ Maheshwar Yadav, Resident of village- Mathurapur, P.S- Lachhuar, Dist- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned counsel for the Additional Public Prosecutor for the state.

2. The petitioner apprehends his arrest in connection with Lachhuar P.S.Case No.16 of 2023 instituted under Section 147, 148, 149, 341, 323, 325, 307, 504, 506, 379 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the petitioner is that he assaulted the informant's son Nitish Kumar with Khanti on his head.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. There is case and counter case and free fight took place between the parties and the petitioners were also assaulted by the prosecution sides. It is further submitted that from perusal



of the injury report, it appears that Nitish Kumar sustained injury on the head which is simple in nature. However, injury on the left wrist is grievous but not on the vital part of the body. The petitioner has clean antecedent.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the learned counsel for the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Jamui in connection with Lachhuar P.S. Case No. 16 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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