

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70056 of 2022

Arising Out of PS. Case No.-377 Year-2020 Thana- TEKARI District- Gaya

RAJESH KUMAR S/O Late Sidhi Das R/O Village- Mau Bhatbigha, P.S-
Tekari, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 323, 341, 342, 308,
379, 504 and 506/34 of the Indian Penal Code.

As per the prosecution case, the petitioner alongwith
other co-accused persons assaulted the informant. It is alleged
that after hearing noise, the son of the informant came to
rescue him, then the petitioner inflicted a knife blow on his
nose due to which he sustained injuries.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence.
He has been falsely implicated in this case due to enmity and
grudge. No such occurrence, in the manner as alleged, has



ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter-case between the parties and both sides have sustained injuries. He submits that both the parties are agnates and there is enmity between them. He further submits that the allegation against the petitioner is of giving knife blow on the nose of the informant's son but the injury report does not supports the prosecution case as there is no sharp cut injury rather there is scratch wound over nose, lacerated wound over right elbow caused by hard and blunt substance. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Tekari P.S. Case No.377 of 2020,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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