

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74740 of 2023

Arising Out of PS. Case No.-251 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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NITESH KUMAR @ MITESH KUMAR @ MITESH KUMAR SINGH Son
of Dinesh Singh R/o vill - Chaudhary Patti Tarwara, P.S. - G.B. Nagar, Distt. -
Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Adv.

For the Opposite Party/s : Mr.Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
G.B. Nagar P.S. Case No.251/2023, registered for the offence
punishable u/s 341, 323, 325, 307, 379, 504, 506, 34 of the IPC.

3. Allegation upon the petitioner is that he along with other
co-accused persons assaulted the informant's side with deadly
weapons. Petitioner is said to have assaulted one Mayank
Kumar.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence in the manner as alleged has ever



taken place. There is case and counter-case between the parties and in the alleged occurrence, both sides have sustained injuries. Petitioner has two criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that there is specific allegation against the petitioner to assault Mayank Kumar by means of a fighter and the injury of the injured was found grievous in nature.

6. Considering the aforesaid facts and circumstances and the nature of injury, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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