

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73143 of 2023

Arising Out of PS. Case No.-144 Year-2021 Thana- RANIYATALAB District- Patna

Akhileshwar Kumar @ Akhilesh Yadav Son Of Mahendra Yadav R/O Village-
Rajipur, P.S.- Rani Talab, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Dular Sah, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rani Talab P.S. Case No. 144 of 2021, instituted under Sections 147, 148, 149, 323, 341, 324, 325, 307, 379 and 354 (B) of the Indian Penal Code.

3. As per the prosecution case, on the date of occurrence petitioner along with other co-accused entered into the house of the informant and tried to outrage the modesty of his *Bhabhi*. On alarm, informant and his family members reached there. Family members of the petitioner also reached there. They assaulted the informant and his family members. Petitioner is alleged to have assaulted the nephew of informant with iron rod causing fracture injury in his right leg.



4. Learned counsel for the petitioner submits that there is case and counter case between the parties and both parties sustained injury. There is general and omnibus allegation against the petitioner. Petitioner has falsely been implicated in this case due to land dispute. Both parties are close neighbour to each other. He further submits that similarly situated other co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court, vide order dated 22.11.2022 passed in Cr. Misc. No. 31199 of 2022. It is further submitted that although there is allegation against the petitioner that he has assaulted Raj Kishore, nephew of the informant, by iron rod, however, injury is simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of 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 each to the satisfaction of learned concerned Court where the case is pending in connection with Rani Talab P.S. Case No. 144 of 2021, subject to the conditions



laid down in Section 438 (2) of the Code of Criminal Procedure,
1973.

(Sunil Dutta Mishra, J)

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