

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76588 of 2023

Arising Out of PS. Case No.-101 Year-2023 Thana- BEN P.S. District- Nalanda

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Bikrant Kumar @ Guddu Kumar S/O Manoj Kumar Sinha R/O Village-
Birbal Bigha, P.S- Ben, Distt.- Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Ben P.S. Case No. 101 of 2023 dated 16.07.2023 instituted for
the offence punishable under Sections 341, 323, 448, 307, 504,
506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on
16.07.2023 at about 8.00 am, the petitioner along with other
named accused persons entered the house of the informant and
started abusing him. On protest made by the informant, one
accused Manoj Kumar assaulted on the head of the informant by
iron rod, due to which he sustained injury. Other accused,
namely, Vikash Kumar assaulted on the leg of the informant. On
hue and cry, his son Vishal Bharati came. Thereafter the



petitioner assaulted on the head of the informant by means of iron rod due to which he sustained grievous injury. Thereafter they fled away by threatening dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner is the nephew of the informant. Learned counsel for the petitioner submits that there is a dispute between the parties relating to partition of the ancestral property. Learned counsel for the petitioner submits that allegation against the petitioner is that he assaulted on the head of the informant by iron rod, due to which he sustained injury. Learned counsel for the petitioner submits that all the injuries are simple in nature caused by hard blunt substances. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Ben P.S. Case No. 101 of 2023, he will be released on anticipatory bail upon furnishing



bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. VII (1st class) Nalanda at Biharsharif subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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