

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73163 of 2023

Arising Out of PS. Case No.-267 Year-2023 Thana- KHIJARSARAI District- Gaya

VIKASH KUMAR @ VIKASH S/O SHIV KUMAR SINGH R/O DEMA
FATEHPUR, P.S- KHIJARSARAI, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Khijarsarai P.S. Case No. 267 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 307, 427 and 506 of the Indian Penal Code.

3. As per prosecution case, the accused persons have assaulted the informant and his brother causing him injury on his head due to which they became unconscious and admitted in the hospital. It is alleged that petitioner was also involved in the said occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence. There is no



specific allegation against the petitioner. The main allegation is against co-accused Jitendra Singh and Mantu Kumar who along with other co-accused persons assaulted the brothers of the informant. There is case and counter case between the parties and both the parties assaulted each other and sustained injuries. It is further submitted that similarly situated other co-accused persons have already been granted anticipatory bail vide orders dated 01.11.2023 and 07.11.2023 passed by coordinate Benches of this Court in Cr. Misc. No. 70392 of 2023 and Cr. Misc. No. 70891 of 2023 respectively. Petitioner has one criminal antecedent in which he is on bail.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Khijarsarai P.S. Case No. 267 of 2023, subject to the conditions



as laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Sunil Dutta Mishra, J)

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