

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71887 of 2022

Arising Out of PS. Case No.-83 Year-2021 Thana- NIMCHAKBATHANI District- Gaya

Salendra Yadav @ Shailendra Kumar @ Shailendra Yadav @ Samindra Kumar S/o Late Ramratan Singh @ Late Ramratan Yadav R/o Village- Nimthu, P.S.- Neemchak Bathani (Atri), Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Neemchak Bathani P.S. Case No.83 of 2021, registered for offences under Sections 147, 341, 323, 308, 379, 337 and 504 of the IPC.

The allegation is regarding the petitioner and other co-accused persons, variously armed, having intercepted the informant on the alleged date and time of occurrence, when he was returning to his house, whereupon they had abused and assaulted the informant and as far as



the petitioner is concerned, he is stated to have assaulted the informant by iron rod on his head.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having clean antecedent. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled and the injuries found on the injured persons are simple in nature.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case as also taking into consideration the materials available on record as also considering the fact that the petitioner is having a clean antecedent and the injuries inflicted upon the injured persons have been found to be simple in nature, I deem it fit and proper to direct for release of the petitioner on anticipatory bail.

Accordingly, the above named petitioner is directed to be released on anticipatory bail in the



event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Gaya in connection with Neemchak Bathani P.S. Case No.83 of 2021, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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