

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71037 of 2022

Arising Out of PS. Case No.-204 Year-2022 Thana- AMAS District- Gaya

NITISH KUMAR Son of Ajay Yadav R/v- Mungayran Tola Kashiyadih
Dariaura, P.S.- Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. A. Shamsi, Advocate.

For the Opposite Party/s : Mr. Sucheta Yadav, Advocate.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2023 Heard Mr. N.A. Shamsi, learned counsel for the

petitioner and Mr. Sucheta Yadav learned Additional Public

Prosecutor appearing for the State.

Petitioner apprehends his arrest in connection with
Amas P.S. Case No. 204 of 2022 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 325, 504
and 307 of the Indian Penal Code.

As per the First Information Report, altogether 11
persons assaulted the informant and his family members at the
time of measurement of the land which was being done by the
informant side.

Learned counsel for the petitioner submits that there is
land dispute between the parties and there is case and counter
case between them inasmuch as side of the petitioner has also



lodged Amas P.S. Case No. 203 of 2022 dated 4.6.2022. He next submits that similarly situated co-accused persons, altogether seven in numbers, had approached this Court in Cr. Misc. 63018 of 2022 and they have been released on anticipatory bail by a co-ordinate Bench of this Court.

From perusal of the impugned order it appears that the injury report has been kept reserved by the Doctor but no apparent injury has been caused to the victim.

Regards being had to the submission made by the parties and taking into consideration the fact that there is case and counter case between the parties having land dispute, the similarly situated co-accused persons have been granted bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Anup Rawat, learned Judicial Magistrate, 1st Class, Gaya, in connection with Amas P.S. Case No. 204 of 2022 subject to the condition as laid down



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

(Anil Kumar Sinha, J)

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