

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75485 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- DAUDNAGAR District- Aurangabad

Aidtya Kumar @ Aditya Kumar, S/O Siddnath Yadav @ Sidhnath Yadav, R/O
Village-Musepur, P.O-Chanda, P.S.-Mehendiya, District-Arwal, Bihar.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Rupa Kumari, Advocate
For the Opposite Party : Mr. Md. Shakir Ahmad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-12-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

2. Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Daudnagar P.S. Case No. 180 of 2023

dated 29.03.2023 registered for the offences punishable

under Sections 341, 323, 307, 448 and 504/34 of the I.P.C.

4. As per the prosecution case, the petitioner is

alleged to have given threatening to kill the informant and

his father and also assaulted with the lathi on the thigh of



the informant.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the brother-in-law (sala) of the informant. The specific allegation of assault upon the informant's father is against the co-accused Manoj Yadav. The injury received by the informant's father is simple in nature. The petitioner is an order giver and he has not assaulted the informant's father. The sister of the petitioner has filed a Complaint Case No. 107 of 2023 for the offence registered under Section 498A of the I.P.C. and Section 3/4 of the D.P. Act and the present case has been filed by the informant to save his skin. It is further submitted that on the alleged date and time of occurrence, the petitioner alongwith his family members went to the house of the informant to settle the dispute arose between the petitioner's sister and the informant but the informant became violent, and as such, there was free fight between the parties in which both sides sustained simple injuries. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.



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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Aurangabad, in connection with Daudnagar P.S. Case No. 180 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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