

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1972 of 2023**

Arising Out of PS. Case No.-22 Year-2022 Thana- TEYAR District- Bhojpur

MANISH KUMAR PATHAK S/o Ram Chandra Pathak R/v- Araila, P.S.-  
Tiyar, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr.Bijay Shankar Choubey, Adv. |
| For the Opposite Party/s | : | Mr.Rajiv Nayan, APP            |
| For the Informant        | : | Mr.Bhaskar Shankar, Adv.       |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      05-05-2023      Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 341, 323, 325, 427, 379, 504, 506, 34 of the IPC and section 307 of the IPC was added.

As per the prosecution case, the F.I.R. named accused persons including the petitioner were cutting tree from the land of the informant and on protest, they started abusing the informant's side. On objection, they assaulted upon the head of the informant and his brother by means of iron rod or Rami.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that one of the co-accused is in police



force and petitioner has got the benefit of section 41(a) of the Cr.P.C. It is further submitted that two similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No.73823 of 2022. The injury was found simple in nature, which is clear from the impugned order itself.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that process u/s 82 Cr.P.C. has been issued.

Having regard to the facts and circumstances of the case and considering the nature of injury, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Tiyaar P.S. Case No.22 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

pallavi/-

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