

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76540 of 2023

Arising Out of PS. Case No.-313 Year-2023 Thana- BARAUNI District- Begusarai

NAND KISHORE SINGH Son of Late Ram Chandra Singh R/o vill -
Chakballi ward no. 13, P.S. - Barauni (Refinary O.P.), Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Barauni P.S. Case No. 313 of 2023 dated 24.06.2023 registered for the offences punishable u/ss 448, 341, 323, 307, 504, 506, 379 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons armed with *lathi*, *danda* and iron rod are alleged to have come to the house of the informant and started abusing him. On being objected, the co-accused Mukesh Kumar and Keshav Kumar strangulated the informant's neck due to which he fell down on the ground. When his cousin aunt came



to rescue him then the co-accused Sanjiv Kumar assaulted with bamboo on her head causing head injury. Thereafter, the accused persons started assaulting the informant and his family members with fists and legs. During the course of assault, the petitioner snatched *Hanumani* locket and the co-accused Sanjiv Kumar snatched gold ornaments from their neck.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is land dispute between the parties. Nothing has been recovered from the possession of the petitioner. Learned counsel has further submitted that there is no allegation of assault against the petitioner and other allegation are ornamental. It is further submitted that the injury of the informant is simple in nature caused by hard and blunt substance. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees



twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Begusarai in connection with Barauni P.S. Case No. 313 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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