

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76155 of 2023

Arising Out of PS. Case No.-26 Year-2022 Thana- CHHATAPUR District- Supaul

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Gautam Kumar, Male, aged about 25 years, S/O Binod Sharma R/O Vill -
Parsahi, Ward No. 09, P.S. - Triveniganj, Dist. - Supaul

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, A.P.P.

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

ORAL ORDER

2 30-11-2023 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 Chhatapur P.S. Case No. 26 of 2022 dated
20.01.2022 registered for the offence punishable under Sections
147, 148, 149, 342, 447, 448, 323, 307, 324, 302, 379, 504, 506
of the Indian Penal Code.

4. As per the prosecution case, the petitioner along
with other 25 other co-accused persons being armed with
various deadly weapons surrounded the house of the informant,



made all the family members hostage and started looting the house. On protest, the accused Chandan Kumar along with petitioner gave a blow of *farse* on the head of the her husband causing head injury due to which he fell down on ground after becoming senseless.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that as per the Injury Report, all the injuries are simple in nature caused by hard and blunt substance. Learned counsel has further submitted that the specific allegation of assault is against the co-accused persons namely, Chandan Kumar, Kailu Sharma and Jitendra Sharma. It is further submitted that the petitioner has no concern with the alleged offence and hence, no case is made out against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently 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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Supaul in connection with Chhatapur P.S. Case No. 26 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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