

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3019 of 2023

Arising Out of PS. Case No.-271 Year-2022 Thana- GAYA MUFASIL District- Gaya

ABHISHEK KUMAR S/o Vakil Singh R/v- Bhadan, P.S.- Tankuppa, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-05-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Muffasil Police Station Case No. 271 of 2022 dated 23.04.2022, disclosing offences under Sections 147/341/323/307/379/324 of the Indian Penal Code.

The prosecution story, on the basis First Information Report, is that the informant, who was posted as constable in the Uttar Pradesh Police, while going on a bus, was forcibly pulled out from the bus by the accused persons, eleven named persons and fifteen to twenty unknown persons, who assaulted the informant by means of sharp edged weapon and snatched golden chain, mobile, bag and cash worth about Rs. 15000/- from the informant.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to village rivalry and the allegation against him is general and omnibus in nature along with twelve named accused persons and fifteen to twenty unknown persons. He further submits that the petitioner has got no criminal antecedents and the nature of injuries caused to the informant has not been brought on record by the prosecution.

Regards being had to the submissions made on behalf of the parties and taking into consideration the material available on record and the fact that the petitioner has got no criminal antecedents, the allegation against him is general and omnibus in nature and both the parties are co-villagers, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class-cum-Chief Judicial Magistrate, Gaya, in connection with Muffasil Police



Station Case No. 271 of 2022, subject to the condition laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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