

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15408 of 2024**

Arising Out of PS. Case No.-125 Year-2023 Thana- MANSAHI District- Katihar

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Lalan Kumar Yadav son of Sikandar Yadav R/o- Badi Bathna PS- Mansahi
Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mansahi P.S. Case No.125 of 2023 instituted under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused Anshu Kumari assaulted Mukesh Kumar (nephew of informant) on his head with iron rod and co-accused Shyam Yadav also assaulted Mukesh Kumar on his head with *dabia* due to which Mukesh Kumar became unconscious.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in



this case. He further submits that from perusal of the injury report of Mukesh Kumar, it appears that he got two injuries on his body out of which one found on the head is simple in nature and another injury found on his right arm is grievous in nature. He also submits that neither the allegation of assault on the arm of Mukesh Kumar nor any repetition of assault is made against the petitioner. It is next submitted that there is a case and counter case between both parties and the petitioner has got no criminal antecedent. He also submits that similarly situated co-accused persons, namely, Sikander Yadav and Rameshwar Yadav have been granted anticipatory bail by a coordinate bench of this Court vide order dated 29.01.2024 passed in Cr. Misc. No.650 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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 C.J.M., Katihar in connection with Mansahi P.S. Case No.125 of 2023, subject to



the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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