

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22462 of 2024**

Arising Out of PS. Case No.-387 Year-2023 Thana- ARWAL District- Jehanabad

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1. Anil Yadav @ Anil Kumar Yadav @ Anil Kumar son of Late Suryadev Singh Village- Satpura Ps- Arwal Dist- Arwal
  2. Manish Kumar son of Late Suryadev Singh Village- Satpura Ps- Arwal Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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

ORAL ORDER

2      20-04-2024                      Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that the petitioner no.2 has been arrested. Accordingly, he seeks permission to withdraw the present application.

3. Permission is accorded.

4. Accordingly, the present application of the petitioner no. 2 is dismissed as withdrawn.

5. The petitioner is apprehending his arrest in connection with Arwal P.S Case No. 387/2023 dated 01.08.2023 registered for the offences punishable u/ss 323, 325, 341, 307, 504 and 506 of the Indian Penal Code.



6. As per the prosecution case, when the informant was returning from his field. On the way, the petitioners and the co-accused persons holding deadly weapons surrounded the informant, in the meantime, the petitioner, Anil Kumar assaulted the informant with an iron rod, causing head injury. Thereafter, the petitioner, Manish Kumar assaulted the informant with khanti, causing head injury.

7. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. As per annexure-P2, the injury no. 1 and 2 are simple in nature caused by hard and blunt substance. Learned counsel has further submitted that the injury no. 3 and 4 are grievous in nature caused by hard and blunt substance which is on non-vital part of the body. The petitioner had no intention to cause death of the informant. There is nothing on the record which shows that the said act of the petitioner was prevented by any intervening circumstances.

8. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the specific allegation of assault is against the petitioner.



9. 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, Arwal, Jehanabad in connection with Arwal P.S. Case No. 387 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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