

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21931 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- KASHICHAK District- Nawada

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Vinay Kumar @ Vinay Mahto, S/O Upendra Mahto @ Upendra Prasad @
Upendra Kumar, R/O Village- Dergaon, P.S- Kashichak, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Kashichak P.S. Case No. 276 of 2023, registered for the offences under Sections 341, 323, 325, 354, 379, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioner hit the son of the informant with butt of country made pistol who became unconscious. Petitioner and another co-accused persons hurled abuses after coming to the house of the informant and they also snatched a *mangalsutra* of the informant.

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



case. Petitioner side had also filed Kashichak P.S. Case No. 275 of 2023 and from the contents of the FIR, it is apparent that the son of the informant of this case had also assaulted the petitioner by *lathi* causing injury on his head. He had also assaulted the co-accused Saurabh Kumar at his right hand which got fractured. The independent witnesses said that it was a case of free fight between two groups and both sides received injuries. Informant side is aggressor. All the sections are bailable except Sections 354 and 379 of IPC which are not applicable against the petitioner. Petitioner is having criminal antecedent of one more case.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and further considering the injury report of the victim showing no serious injury and also considering the possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties



of the like amount each to the satisfaction of learned A.C.J.M.,-
VI, Nawada/court concerned in connection with Kashichak P.S.
Case No. 276 of 2023, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure and
other following conditions:

- (i) One of the bailors will be a close relative of the
petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below, if so required
by the learned trial court.

(Arun Kumar Jha, J)

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