

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33737 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- LALGANJ District- Vaishali

Nand Kishor Kumar @ Nand Kishsor Kumar son of Rajesh Sah Village-
Sahdullahpur Ps- Lalganj Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Adv.
For the State	:	Ms. Gulnar Begum, Adv.
For the Informant	:	Mr. Siyameshwar Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 02-12-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 447, 341, 323, 379, 354, 307, 302, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, on 31.07.2023 at about 2 pm, all the FIR named accused persons including this petitioner brutally assaulted the informant and his family members, as a result of which, mother of informant sustained multiple fracture injuries and during course of treatment, she died.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. He further submits that the only allegation against the petitioner is that he tore sari-blouse of the sister-in-law of the informant. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the anticipatory bail application of co-accused Mithilesh Kumar was rejected by a Co-ordinate Bench of this Court vide order dated 26.10.2024 passed in Cr. Misc. No. 38242 of 2024. They further submitted that there is direct and specific allegation against the petitioner that he along with other accused persons brutally assaulted informant and his family members, as a result of which mother of the informant sustained grievous injury and during the course of treatment, she died. Postmortem report reveals that mother of informant sustained multiple fracture injuries.

6. Considering the facts and circumstances of the case and the fact that there is no specific allegation against the



petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Lalganj P.S. Case No. 271 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

