

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54029 of 2024

Arising Out of PS. Case No.-1112 Year-2023 Thana- BIHTA District- Patna

Abhishek Kumar Son of Late Pappu Yadav Resident of Vill- Simri Nawada,
P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Bihta PS Case No. 1112 of 2023 instituted for the offence
punishable under Sections 290,452,341,323,324,307,504,379/34
of the Indian Penal Code.

3. The case of prosecution, in short, is that on the date
of occurrence, the informant along with his family was inside
the house. After hearing the sound of crackers, informant
opened the gate and looked outside, then petitioner along with
other co-accused persons entered into the house of the informant
and started abusing him and assaulted with sharp cutting
weapons on the head of the informant. It is further alleged that
accused persons looted jewellery and two lakh cash kept in the



house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioner rather allegation is general and omnibus. The injury report reveals that nature of injury is simple. It is further submitted that both the parties have compromised outside the Court. A joint compromise petition was filed before the learned A.C.J.M.- 1, Danapur. Also, the similarly situated co-accused, namely, Arun Kumar has already been granted anticipatory bail *vide* order dated 07.08.2024 passed by this Court in Criminal Miscellaneous No. 47690 of 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for anticipatory bail.

6. Having considered 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 upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM- I, Danapur, in Bihta PS Case No. 1112 of 2023, subject



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

7. The application stands allowed.

(Khatim Reza, J)

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