

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59750 of 2024**

Arising Out of PS. Case No.-60 Year-2024 Thana- NEMDARGANJ District- Nawada

Gyash khan @ Feku, aged about 27 years, Male, son of Manan Khan, resident of village- Kajhiya, P.S.-Nemdarganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shankar Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      06-09-2024                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Nemdarganj PS Case No.60 of 2024 dated 17.02.2024, instituted under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he assaulted the informant on his head by means of *Bhala*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is case and counter case between the parties. Counter case i.e. Nemdarganj PS Case No. 61 of 2024 has been lodged by the wife of Manar Khan @ Mannar Khan. It is submitted that both the parties are co-villagers. Allegation against the petitioner is of assaulting the informant by means of



*Bhala* but from the perusal of the injury report of the informant kept at Annexure- P/3, it appears that the doctor has found all injuries are simple in nature caused by hard and blunt substance. Further submission is that co-accused Mannar Khan @ Maanana Khan @ Md. Manan Khan and Md. Shahwaj Khan @ Shahwaj @ Shahwaj Khan have been granted anticipatory bail by this Court by order dated 03.07.2024 passed in Cr. Misc. No. 39413 of 2024. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for 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 Chief Judicial Magistrate, Nawada, in Nemdarganj PS Case No.60 of 2024, 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)**

J. Alam/-

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