

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70325 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- UJIYARPUR District- Samastipur

SHANKAR PRASAD YADAV @ SHANKAR PRASAD ROY SON OF
LATE RAM BHAJAN RAY @ LATE BHATIAN RAY RESIDENT OF
VILLAGE- LOHAGIR, PS- UJIYARPUR, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Adv.

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 427, 448, 504, 506 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner are said to have assaulted the informant's side brutally with deadly weapons due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather



general and omnibus in nature. The occurrence has taken place due to playing D.J. music on high volume. Though there is allegation against the petitioner that he along with two other co-accused persons assaulted the informant brutally with deadly weapons, but as per the injury report, the injuries of the informant are simple in nature caused by hard and blunt substance. Petitioner has four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the injuries sustained by the informant are simple in nature, 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 Ujiarpur P.S. Case No. 90 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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