

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72169 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- JIRADEI District- Siwan

Abhishek Kumar Pandey @ Abhishek Pandey Son of Santosh Pandey
Resident of Village- Badheya P.S -Jiradei, Dist- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Jiradei P.S. Case No. 98/2024 registered for the offences punishable under Sections 126, 115(2), 109, 303(2), 329(3), 352/3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, petitioner is said to have assaulted by means of iron rod upon the head of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner bears no criminal antecedent. He further submits that there is case and counter case between both the parties on the same date of occurrence. He further submits that



real fact is that dispute took place between the prosecution party and the Barat party and the prosecution party being aggressor and they assaulted the Barat party and misbehaved with the ladies dancer in the dance programme and falsely implicated the petitioner and other co-accused persons with a view to save their skin from counter case bearing Jiradei P.S. Case No.99/2024. He further submits that there is no allegation of repetition of blow against the petitioner and the injury of the informant is simple in nature as mentioned in the impugned order.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Siwan in connection with Jiradei P.S. Case No. 98/2024, subject to the conditions as laid down under Section



482(2) of the B.N.S.S., 2023.

(Alok Kumar Pandey, J)

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