

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78080 of 2023

Arising Out of PS. Case No.-171 Year-2022 Thana- TELHARA District- Nalanda

Kamlesh Prasad @ Kamlesh Yadav Son Of Prabhu Yadav Resident Of
Village- Ghana Bigha Tola Gajjobag, P.S. Telhara, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Alok, Advocate
		Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s	:	Mr.Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Telhara P.S. Case No. 171 of 2022 dated 28.10.2022 registered for the offence/s punishable u/ss 147, 148, 149, 341, 323 and 307 of the Indian Penal Code and section 27 of the Arms Act.

4. As per the prosecution case, it is alleged that one Navin Kumar was assaulting the informant's nephew, when the informant along with his son tried to pacify dispute, then the



petitioner and the co-accused persons armed with lathi and danda assaulted them due to that both of them sustained injuries on their heads. Thereafter, the co-accused fired from his pistol due to that one co-villager of the informant namely, Shailendra Mistri sustained injury on his thigh.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that the injury is on non-vital part of the body. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. There is general and omnibus allegation against the petitioner. The other co-accused person has already been granted bail by this Court *vide* order dated 10.01.2024 passed in Cr. Misc. No. 73899 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that the injury is grievous in nature.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Hilsa, Nalanda



in connection with Telhara P.S. Case No. 171 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

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

