

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77161 of 2023

Arising Out of PS. Case No.-267 Year-2023 Thana- KHIJARSARAI District- Gaya

Rishu Kumar S/O Jitendra Singh @ Jitendra Mohan Singh R/O Village-
Dema Fatehpur, P.S- Khijarsarai, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Prince Kumar S/O Dinesh Singh R/O Village- Dema-Fatehpur, P.S-
Khijarsarai, Distt.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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

ORAL ORDER

2 04-01-2024 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 Khijarsarai P.S. Case No. 267 of 2023 dated

09.07.2023 registered for the offence/s punishable u/ss 147, 148,

149, 341, 323, 325, 307, 427 and 506 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the

co-accused persons are alleged to have assaulted the informant

and his brother with lathi, danda, iron rod, legs and fists due to



that they sustained severe injuries.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The specific allegation of assault is against the co-accused Jitendra Singh. There is general and omnibus allegation against the petitioner. Similarly situated co-accused has already been granted anticipatory bail by the co-ordinate bench *vide* order dated 10.11.2023 passed in Cr. Misc. No. 73163 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, 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, Gaya in connection with Khijarsarai P.S. Case No. 267 of 2023, 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)

guddukr/-

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