

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83304 of 2023

Arising Out of PS. Case No.-118 Year-2023 Thana- JAMOBABAZAR District- Siwan

UPENDRA PRASAD @ UPENDRA SAH SON OF LATE SITA RAM
PRASAD R/O VILLAGE- JAMO BAZAR, P.S.- JAMO BAZAR,
DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kant

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Jamo Bazar P.S. Case No. 118 of 2023, registered for the offences
punishable under Sections 341, 323, 325, 307, 354B, 379, 302/34 of
the Indian Penal Code.

3. As per allegation, The petitioner along with F.I.R.
named accused persons and three unknown persons assaulted the
informant and her husband by means of sword, iron-rod and *farsa*,
due to which they sustained grievous injury and during course of
treatment her husband died.

4. The learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case. He
is a person of clean antecedent. There is no allegation on him to



assault the deceased. There is specific allegation against him to assault Brajesh Prasad, who suffered simple injuries. He has further submitted that on similar footing co-accused, Janardan Prasad, Ramu Kumar @ Ramu Prasad and Bablu Kumar have been granted anticipatory bail by the co-ordinate Benches of this Court in Cr. Misc. Nos. 79258, 55561 and 62248 of 2023.

5. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Jamo Bazar P.S. Case No. 118 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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