

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5470 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- KOTWALI District- Munger

Nitish Kumar S/O Late Jitendra Yadav R/O Village- Kemkha, Ps. Kotwali,
Dist. Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kotwali (Basudeopur) P.S. Case No. 198 of 2023 dated
15.05.2023, instituted for the offence punishable under Sections
341, 323, 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The allegation against the petitioner is that, he
along with other co-accused persons tried to snatch the
motorcycle of the informant and when he refused to give the
motorcycle, the petitioner along with other accused persons
assaulted him due to which the informant sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. It is further submitted that there is a specific allegation against one co-accused namely, Adarsh Kumar, who assaulted the informant by means of iron rod. It is further stated that the injury sustained by the informant is found to be simple in nature. Learned counsel further submitted that allegation against the petitioner is general and omnibus in nature. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kotwali (Basudeopur) P.S. Case No. 198 of 2023, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Munger, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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