

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3545 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Vikash Kumar, S/O Rakesh Kumar, Resident Of Ward No. 12, Village-
Khodawandpur, Tola- Musahari, Ps-Khodawanpur, Dist-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Khodawandpur P.S. Case No. 155 of 2023, registered on 26.05.2023 for the offences under Sections 341, 323, 307, 354B, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons asked the informant to close his shop and they assaulted the informant and his wife and took away Rs. 3100/-. The allegation against the petitioner is that he gave a blow of iron rod on the head of the informant causing fracture of it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner and other co-accused persons belong to the



same family. Father of the petitioner is full brother of the informant. There is land dispute between the parties. All the offences alleged against this petitioner are bailable except Sections 379 and 307 of IPC. The allegation of theft is not believable and offence under Section 307 is not made out against the petitioner from the facts of the case. The injuries are superficial and one is a lacerated wound of 0.6cm x 2cm x 2.5cm., whereas other injuries are swelling and abrasion over different parts and the injuries are stated to be simple. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of injury and further considering the background of land dispute coupled with possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul, Begusarai/court concerned in connection



with Khodawandpur P.S. Case No. 155 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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