

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.945 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- KHUDWA District- Aurangabad

Mithilesh Kumar Son of Janeshwar Yadav @ Janeshwar singh R/o vill -
Lahasa, P.S. - Khudwan, Dist. - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhaneshwar Prasad Gupta, Advocate
		Mr. Ashok Kumar, Advocate
		Mr. Lal Bahadur Singh, Advocate
For the Opposite Party/s	:	Mr. Umanath Mishra, APP
For the Informant	:	Mr. Kumar Ravish, Advocate
		Ms. Siddhi Aashana, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 10-05-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehend his arrest in connection
with Khudwan P.S. Case No. 77 of 2023 instituted under
Sections 147, 148, 149, 341, 504, 506, 324, 307 and 302 of the
Indian Penal Code.

3. As per the prosecution case, when the informant
was going to plough his land, petitioner and his associates
armed variously came there and one Anjay Singh struck the
informant's uncle Akhilesh Singh on his head with a *garasa*. It
is further alleged that co-accused Vinay Kumar assaulted on the
shoulder of Abhay Kant with *garasa* and Ramashish Singh also



assaulted on the leg of Kamlesh Singh causing serious injuries. The FIR has been lodged against 9 known accused persons and against 20-30 unknown persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is no specific allegation against the petitioner and it is alleged that he was instigating other co-accused persons. He also submits that there is land dispute between the parties and there is case and counter case between the parties. He further submits that the petitioner has no criminal antecedent and similarly situated accused persons, namely, Indrajit Kumar @ Ajit Kumar, Ramashish Singh and Karamdeo Yadav have already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.04.2024 passed in Cr. Misc. No. 9589 of 2024.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of



the like amount to each to the satisfaction of the learned Chief
Judicial Magistrate, Aurangabad in connection with Khudwan
P.S. Case No. 77 of 2023, subject to the conditions laid down in
Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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