

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10463 of 2024

Arising Out of PS. Case No.-285 Year-2019 Thana- PARBATTa District- Khagaria

Nidhi Kumar @ Babu Saheb, S/O - Mahendra Prasad Yadav, R/o- Village,
Baisa, P.S. Parbatta, District- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2024 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 Parbatta (Maraiya) P.S. Case No. 285 of 2019, registered for the offences under Sections 149, 341, 323, 504, 307, 353, 332 and 333 of the Indian Penal Code.

3. As per prosecution case, petitioner and other co-accused persons obstructed the work of police party and assaulted them when the informant asked one of them to remove the motorcycle which was causing disturbance in traffic.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is evident that the police named the petitioner in this case merely on suspicion. There is nothing against this



petitioner. From the facts of the FIR, it is also apparent that there was no intention to cause death of any person. Further, it is not believable that the police party would be attacked on such trivial ground. Petitioner is accused in one another which is registered for offence under Section 498A and other allied sections of IPC.

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 general and vague nature of allegation against the petitioner without any substantive material and also considering the 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 Judicial Magistrate-1st Class, Khagaria/court concerned in connection with Parbatta (Maraiya) P.S. Case No. 285 of 2019, 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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