

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36453 of 2019

Arising Out of PS. Case No.-539 Year-2018 Thana- MADHAURAH District- Saran

Satranjan Prasad, son of Manager Prasad, Resident of Village- Anwari, P.S.-
Marhowrah, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 12-06-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Marhowrah P.S. Case No.539 of 2018 for the offence punishable
under Sections 341, 323, 324, 325, 307, 504, 506 and 34 of the
Indian Penal Code.

Allegation against the petitioner as mentioned in the
FIR is that he assaulted the informant with Daab causing head
injury to the informant.

Learned counsel for the petitioner submits that from
perusal of Annexure-3 which is the injury report, it would
appear that there is simple Abrasion on right elbow and
lacerated wound on temporal region of the informant and Doctor
has opined the injury as simple in nature causing by hard blunt



object. Accordingly, learned counsel submits that allegation against the petitioner is of assaulting the informant by Daab and there is no sign of injury with the sharp weapon. He further submits that there is case and counter case between the parties and both the parties are co-villagers and there is a dispute of land between them also.

After hearing learned counsel for the parties and perusal of the FIR as well as injury report, it appears that the allegation against the petitioner does not co-relate with the injury caused to the informant. Accordingly, I am inclined to grant anticipatory bail to the petitioner. The petitioner is directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by the petitioner, the petitioner shall be released on anticipatory bail by the Court below upon 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, Saran at Chapra in connection with Marhowrah P.S. Case No.539 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure as well as further condition that the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on



two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Anil Kumar Sinha, J)

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