

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48374 of 2019**

Arising Out of PS. Case No.-13 Year-2019 Thana- RIGA District- Sitamarhi

Vivek Kumar @ Vivekanand Singh, son of Nand Kishore Singh, resident of village-Narsama, P.S.-Riga, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pushpendra Kumar Singh  
For the Opposite Party/s : Mr.Bharat Lal

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      06-08-2019                      Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Riga P.S. Case No.13 of 2019 for the offence punishable under Sections 447, 341, 323, 324, 326, 504, 506 of the Indian Penal Code.

The allegation against the petitioner is that petitioner on the date of occurrence, i.e., 30.12.2018 came at brick kiln of the informant and assaulted him from the backside causing injury in his left palm. It has further been alleged that informant also assaulted one Shashi Bhushan by means of knife, as a result he received serious injury.

Mr. Pushpendra Kumar Singh, learned counsel



appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case on the basis of FIR which was lodged after a considerable delay of about ten days. Learned counsel further submits that from perusal of the FIR itself, the incident had allegedly taken place on 30.12.2018 but FIR was lodged on 09.01.2019 without any explanation. Learned counsel further submits that from perusal of the injury report of Shashi Bhushan annexed at Annexure-2, it would be evident that the same has been drawn on plain paper and not on the pad of the hospital and appears to be suspicious.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that there is considerable delay in lodging the FIR and further that no injury report is there on record of any Govt. or authentic hospital, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he 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 Sri Rakesh



Kumar, learned Judicial Magistrate Ist Class, Sitamarhi, subject  
to the condition as mentioned under Section 438 (2) of Cr.P.C.

**(Anil Kumar Sinha, J)**

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