

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52615 of 2019

Arising Out of PS. Case No.-185 Year-2019 Thana- GARKHA District- Saran

SONU KUMAR Son of Anil Singh Resident of Village - Mahamd, P.S.-
Garkha, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr. Shailendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-08-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Garkha Police Station Case No. 185 of 2019, disclosing offences under Sections 147, 341, 323, 307, 324, 504 of the Indian Penal Code.

The allegation against the petitioner, as per the First Information Report lodged by one Manish Kumar, is that on the date of occurrence, he was playing cricket in the vacant field situated in front of the house of Dr. Anil Singh. It is alleged that the petitioner, along with other accused persons, arrived there and on the order of Reeta Devi, wife of Dr. Anil Singh, the petitioner and others assaulted the informant and the petitioner assaulted the informant on his head by means of dab.



Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on concocted story inasmuch as the informant used to tease the lady family members of the petitioner, which was being objected by the wife of Dr. Anil Singh, and due to which, the entire family have been falsely implicated in the present case. He further submits that from perusal of the injury report, Annexure-2, it would be evident that injury caused to the informant is simple in nature, as such, the same does not corroborate the allegation made by the informant in the First Information Report.

After having heard learned Counsel for the parties and taking into consideration the fact that the injury caused to the informant is simple in nature and the allegation made in the First Information Report is not corroborated by the injury report, I am inclined to grant the petitioner privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioner, Sonu Kumar, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 15th Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Garkha Police Station Case



No. 185 of 2019, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall
present himself before the police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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