

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57053 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- AGRER District- Rohtas

Lal Babu Pandey, S/o Buttan Pandey R/o Village- Shumbha, P.S.- Agrer,
District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Agrer
P.S. Case No.32 of 2019 for the offence punishable under Sections
341, 323, 307, 379, 34 of the Indian Penal Code.

The allegation against the petitioner is that petitioner
along with other accused persons assaulted the informant and the
petitioner assaulted him with iron rod.

Learned counsel for the petitioner submits that from
perusal of the First Information Report, it would be evident that the
occurrence has taken place on 15.03.2019 whereas the FIR has been
lodged after delay of about three days on 18.03.2019. Learned
counsel further submits that there is previous enmity between the
parties inasmuch as both the petitioner and the informant are tempo
drivers and there was dispute with regard to parking of the tempo



between them. Learned counsel relied upon Annexure-2 and submits that injury caused to informant have been found to be simple in nature.

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 the injury caused to the informant is simple in nature and there is delay in lodging the FIR, 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 learned C.J.M., Rohtas at Sasaram, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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