

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14700 of 2020

Arising Out of PS. Case No.-334 Year-2019 Thana- BARAULI District- Gopalganj

MINTU SINGH @ DEEP NARAYAN SINGH Son of Ram Awadhesh Singh
Resident of Village - Kahla, P.S.- Barauli, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Sri Ashok Kumar Singh, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Barauli P.S. Case No. 334 of 2019 registered for the offence punishable under Sections 341, 447, 323, 324, 307 and 504/34 of the Indian Penal Code.



The case of the prosecution in brief is that on the alleged date and time of occurrence, the informant was getting sand unloaded from a tractor at the door of his house when the petitioner herein along with the co-accused person, namely, Rinku Singh, armed with lathi and farsa had arrived there and told the informant not to unload sand, however, upon protest, the petitioner is stated to have inflicted farsa blow on the head of the informant resulting in injuries on the person of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that the present case arises out of case and counter case and the case filed by the accused persons is first in time whereas the case filed by the prosecution side i.e. the present case is subsequent to the one filed by the petitioner's side. It is further submitted that the petitioner has also received injuries and the fact is that the



injuries sustained by the informant is not very serious in nature and though, it has been alleged that repeated farsa blow was inflicted on the informant, however, only one injury has been found, hence, apparently, the case as propounded by the informant is false.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the present case arises out of case and counter case, the petitioner has also been injured, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gopalgajn in connection with Barauli P.S.Case No. 334 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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