

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11885 of 2020

Arising Out of PS. Case No.-84 Year-2018 Thana- MAHKAR District- Gaya

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KUNAL PRIYADARSHI @ BITTU KUMAR Son of Jamendra Kumar
Singh @ Jamendra Singh @ Moti Resident of Village - Bara, P.O.- Takya
Karpi, P.S.- Mahkar, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-08-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for
grant of anticipatory bail apprehending his arrest in connection
with Mahkar P.S. Case No. 84 of 2018 registered under sections
307, 341, 323, 354, 504, 506 and 420 of the Indian Penal Code.

As per allegation in the FIR, while the informant was
at her shop, it is stated that the petitioner came there and
assaulted as a result of which her daughter started to bleed from
the head and nose. It is further stated that the petitioner
threatened them with dire consequences and also after making a
fake account from the facebook and gmail sent them and spread
dirty messages.



It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. It is submitted that for an occurrence alleged to have taken place on 8.1.2018, the FIR was registered on 20.5.2018 i.e. more than four months after the occurrence without any explanation for the same. The so called injury has been found to be simple in nature, although the same has been wrongly attributed to the petitioner. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Case diary had been called for in the case and the same has been received.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the fact that the nature of injury was found to be simple and the delay of more than four months in lodging of the FIR, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Mahkaar P.S. Case No. 84 of 2018, he shall be enlarged 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 A.C.J.M. IXth, Gaya subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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