

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No. 21418 of 2020

Lal Khan, son of Tufique Khan, resident of village-Dariyapur, P.S.-
 Sangrampur, Motihari, District-East Champaran. Petitioner
 Versus
 The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Vikash Kumar Pankaj, Advocate
 Mr. Pratyaush Kumar, Advocate
 For the Respondent State: Mr. Kanhaiya Kishore, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-07-2020 Heard Mr. Vikash Kumar Pankaj, learned counsel
 appearing on behalf of the petitioner and Mr. Kanhaiya Kishore,
 learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of anticipatory bail arises out of Sangrampur P.S. Case No. 128 of 2019, registered for the offence punishable under Sections 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

From the First Information Report, it transpires that the dispute had arisen over the location of installation of a hand-pump. Allegedly, the persons, named in the First Information Report, including the petitioner, were demanding extortion money from the informant. They are said to have abused him and assaulted him. There is allegation against the petitioner of having given *farsa* blow.

Learned counsel appearing on behalf of the petitioner



has submitted that all the injuries have been found to be simple in nature and for the same occurrence, a counter case has been registered as Sangrampur P.S. Case No. 129 of 2019 in respect of the same occurrence in which the informant is an accused. He has also argued that other co-accused persons have been allowed anticipatory bail by this Court.

Considering the genesis of the occurrence and the submission that the injuries have been found to be simple in nature, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned A.C.J.M.-XIV, East Champaran, Motihari, in Sangrampur P.S. Case No. 128 of 2019, subject to the conditions as 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 bonds shall be liable to be cancelled.

It is indicated that defect, if any, shall be removed



within two months.

Since there is a lock down, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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