

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26340 of 2020

Arising Out of PS. Case No.-1131 Year-2019 Thana- BIHTA District- Patna

MANISH KUMAR S/o Lutan Singh Resident of Village-Baduri, P.S.-
Paliganj, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. Rakesh Kumar Sharma
For the Opposite Party/s	:	Mr. A. L. Pandit
For the informant	:	Mr. Vyas Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 05-12-2020 Heard learned Senior Counsel for the petitioner,

learned Counsel for the informant and learned Additional Public

Prosecutor for the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises
out of Bihta Police Station Case No. 1131 of 2019, disclosing
offences under Sections 147/148/341/323/324/307 of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that the father-in-law of the petitioner, his brother-in-
law and 10 other accused persons, including the petitioner,
assaulted the brother of the informant by means of knife, lathi,
danda etc. with intention to kill him, as a result of which, the
brother of the informant received injuries in various parts of his



body.

Learned Senior Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case due to the dispute between the parties related to the business. He, referring to Annexure-2, submits that from perusal of the injury report of the injured, prepared by a private hospital, in the name and style of Hi-Teck Emergency Hospital, the injuries appear to be simple in nature, but the same has wrongly been mentioned as grievous. He further submits that no injury report of the Primary Health Centre is there on record.

On the other hand, learned Additional Public Prosecutor and learned Counsel for the informant, vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation of assault upon the petitioner and the petitioner has not paid the share of the brother of the informant for the work of earth filling done by him along with the petitioner.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the nature of allegation, I am inclined to grant the petitioner privilege of anticipatory bail.



This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, 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 1st Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Bihta Police Station Case No. 1131 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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