

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28797 of 2020

Arising Out of PS. Case No.-420 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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DILIP SINGH Son of Late Ram Surat Singh Resident of Village-
Ramgadhwa, P.S.- Motihari Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar
For the Opposite Party/s : Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-12-2020 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.

Heard the learned counsel for the petitioner and Sri

Rabindra Kumar, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Motihari Mufassil PS case no. 420 of 2019

registered for the offences punishable under Sections 307 and

other allied sections of Indian Penal Code.

The case of the prosecution in brief is that while

the informant was talking with his co-villager on 04.09.2019 at

about 7.45 pm, the petitioner had come there and uprooted the

fixed peg as also had started abusing the informant. It is further



alleged that the petitioner had then inflicted a *farsa* blow on the informant causing injuries on the head of the informant and when his wife came to save him, the petitioner had also assaulted her.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has submitted by referring to the injury report annexed as Annexure 2 to the present petition that the injuries found on the person of the informant are simple in nature.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the injuries inflicted by the petitioner upon the informant have been found to be simple in nature and moreover, the petitioner is ready to abide by such conditions as may be imposed by this Court, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on



anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Motihari Mufassil PS case no. 420 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

This Court further directs that since the investigation of the present case is going on, the petitioner herein shall appear before the Officer-in-charge of the concerned police station on each and every Monday of the week at 10.00 AM and co-operate with the Investigating Officer and in case of two consecutive defaults in appearing before the said Officer-in-charge, the present privilege of bail being granted to the petitioner herein shall stand cancelled automatically and the petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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