

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2057 of 2020

Arising Out of PS. Case No.-165 Year-2018 Thana- HARLAKHI District- Madhubani

Govind Chaudhary, son of Ghanshyam Chaudhary, R/O Village- Gamhariya,
P.S. - Harlakhi, District- Madhubani Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner apprehends his arrest in connection with Harlakhi P.S. Case No. 165 of 2018, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code.

The allegation against the petitioner, as per the first information report, is that the petitioner assaulted the informant on his head by means of farsha, causing head injury.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that there is case and counter case between the parties inasmuch as Harlakhi P.S. Case No. 166 of 2018 has been lodged by the petitioner against the informant's fathers and brothers. He, referring to Annexure-3 (injury report), submits that injuries have been found to be simple in nature, caused by



hard and blunt substance; whereas the allegation of assault upon the informant in the First Information Report is by sharp cutting weapon.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are agnates and there is case and counter case between them and the injuries caused to the informant have been found to be simple in nature, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 Sub Divisional Judicial Magistrate, Bennipatti, at Madhubani, in connection with Harlakhi Police Station Case No. 165 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

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