

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8636 of 2020

Arising Out of PS. Case No.-183 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

Jagata Kumar, Son of Mukhiya Bind Resident of village- Chitadhi, P.S.-
Chainpur, District- Kaimur at Bhabua Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 22-10-2021 Heard the parties through video conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

The present petition under Section 438 of the Cr.P.C. is
for anticipatory bail to the petitioners in connection with Chainpur
P.S Case No. 183 of 2019, Gr. No. 1006 of 2019 for offences
punishable under Sections 341, 323, 325, 354, 504 and 448/34 of
the Indian Penal Code.

As per the prosecution story, on 16.05.2019 at about
3:00 P.M. when informant's daughter was sleeping in her house,
this petitioner entered into her house and tried to outrage her
modesty. When the informant went to the petitioner's house to
complain about this incident, then the F.I.R named accused
persons started assaulting him and one Mukhiya Bind gave a lathi
blow on his head due to which he suffered injury on his head.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case due to previous enmity and land dispute. Learned counsel submits that the present case is a counter case to Chainpur P.S. Case No. 186 of 2019 instituted by Nirmala Devi. It is submitted that petitioner has got no criminal antecedent, hence, there is no impediment in granting anticipatory bail to the petitioner.

Learned APP appearing on behalf of the State, vehemently, opposed the prayer for grant of anticipatory bail to the petitioner.

Considering the facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of his arrest or surrender before the Court below within four weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 183 of 2019, Gr. No. 1006 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Purnendu Singh, J)

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