

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 28677 of 2020**

Arising Out of PS. Case No.-215 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

SHASHI BHUSHAN KUMAR Son of Siyaram Sah Resident of Village-
Manik Chauk Utari Ward No.07, P.S.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr Krishna Prasad Singh, Sr Advocate Mr Virendra Kumar, Advocate
For the Opposite Party/s	:	Mr Khurshid Anwar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 12-03-2021 Heard learned senior counsel for the petitioner and the learned APP for the State.

The petitioner apprehends arrest in Runnisaidpur Police Station (for brevity, *PS*) Case No 215 of 2020 instituted for the offence punishable under Sections 323, 341, 307, 504 of Indian Penal Code.

Allegation against the petitioner is of assault by iron rod upon the head of the victim.

It is submitted by the learned senior counsel for the petitioner that the victim was treated at three places. However, the final opinion does not corroborate assault by iron rod as the injury is not even bone deep on the scalp. The petitioner has no criminal antecedent and has been falsely implicated.

Learned APP for the State has opposed the prayer for anticipatory bail.

Considering the rival submissions, prayer for anticipatory bail is allowed. Let the petitioner, above named, in



the event of his arrest or surrender before the Court below within four weeks from today, be released on anticipatory bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in Runnisaidpur PS Case No 215 of 2020 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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