

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29546 of 2020

Arising Out of PS. Case No.-301 Year-2019 Thana- EKANGARSARAI District- Nalanda

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UMASHANKAR KUMAR Son of Late Nawal Kishore Singh Resident of
Village - Amnar Khas, P.S.- Ekangarsarai, District - Nalanda at Biharsharif

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Soni Srivastava

For the Opposite Party/s : Mr. Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 29-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Ekangarsarai Police Station Case No. 301 of 2019,
disclosing offence under Sections 341/323/324/325/448/307/
379/504/506/34 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner assaulted the informant by means
of khanti on her head.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to
previous dispute between the parties and the petitioner is the
close door neighbour as well as agnate of the informant. She
next submits that there is dispute of passage between the parties



and a proceeding under Section 147 Cr.P.C. is pending against them. She next submits that injuries caused to the informant is not serious in nature.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that petitioner has criminal antecedent inasmuch as earlier also, the petitioner had assaulted the informant and others, for which Ekangarsarai Police Station Case No. 264 of 2019 was lodged by the informant against the petitioner and others. However, referring to the case diary, he submits that injuries caused to the informant have been found to be simple in nature.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the fact that both the parties are agnates and close door neighbour and the injuries caused to the informant are simple in nature, 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 a period of 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 Sub Divisional Judicial Magistrate, Hilsa, Nalanda, in connection with Ekangarsarai Police Station Case No. 301 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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