

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39023 of 2020

Arising Out of PS. Case No.-251 Year-2017 Thana- JAYNAGAR District- Madhubani

MANOJ KUMAR SINGH son of Surya Narain Singh Resident of Village-
Selara, P.S.- Jaynagar, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.

For the Opposite Party/s : Mr. B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-05-2021 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, requiring social distancing.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State, Sri B. N. Pandey.

This is an application for grant of anticipatory bail in connection with Jaynagar P.S. Case No. 251 of 2017, corresponding to C.R.I. No. 1529 of 2017 registered for the offence punishable under



Sections 447, 341, 342, 323, 234, 307, 379, 354(B), 504 and 506/34 of the Indian Penal Code.

The allegation is regarding the petitioner and his family members having arrived at the door of the house of the informant whereafter an altercation had taken place. It is alleged that as far as the petitioner is concerned, he had given a farsa blow on the informant resulting in cut injury on his head while the co-accused person had given dab blow, which had hit the right palm of the informant resulting in the informant sustaining grievous injuries.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that as far as the allegation leveled against the petitioner is concerned, the same is not substantiated by the injury report of the informant, which has been annexed as Annexure-3 to the present petition,



inasmuch as there is no whisper of the informant having received any head injury, although it might be possible that the other injuries sustained by the informant might have been inflicted by the other accused persons.

Per contra, the learned APP for the State, Sri B. N. Pandey, has though vehemently opposed the prayer for bail, however, he has not been able to deny the fact that the injury report does not support the allegation leveled against the petitioner herein.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that though the petitioner has been alleged to have hit the informant on his head, the injury report of the informant does not show any head injury and moreover, the petitioner is having a clean antecedent, I deem it fit and proper to enlarge the petitioner above named, in



the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sub-Divisional Judicial Magistrate, Madhubani, in connection with Jaynagar P.S. Case No. 251 of 2017, corresponding to CRI No. 1529 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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