

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39695 of 2020

Arising Out of PS. Case No.-222 Year-2020 Thana- BARHARIA District- Siwan

SUNIL KUMAR S/o Shambhu Yadav R/o Village- Mushehari Dariya Tola,
P.S. Barharia, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Barharia P.S.
Case No. 222 of 2020 registered for the offence under Sections
341, 323, 324, 307, 504, 506, 34 of the Indian Penal Code.

Allegedly, the accused persons abused and assaulted the
informant's son. While the informant and her daughter inquired,
all the accused persons abused and assaulted them.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The



petitioner has been falsely implicated in the present case. It is submitted that the injury is simple in nature. No offence u/S 307 of the Indian Penal Code is made out. At best, offence under Section-324 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Siwan in connection with Barharia P.S. Case No. 222 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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