

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5235 of 2022

Arising Out of PS. Case No.-449 Year-2020 Thana- KHAJANCHI HAT District- Purnia

SUMIT @ BUMBAA S/o Late Jivan Das Resident of Vivekanand Colony,
P.S.- K. Hat (Sahayak), District- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 342,
323, 324, 307, 504/34 of the Indian Penal Code read with
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that on 28.08.2020, he had hot
exchange of words with the accused persons including the
petitioner as he was objecting their illegal selling of smack and
liquor. It is alleged that on 29.08.2020, when the informant was
returning to his house, after performing his duty, he was



surrounded by the accused persons and thereafter it is alleged that Chotu Sahani assaulted the informant by an iron rod from the backside with an intention to kill, thereafter, this petitioner also attempted to assault the informant, thereafter, it is alleged that Pulli Mandal fired causing injury on the waist of the informant on which he fell on the ground and became unconscious and he was taken to the hospital.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is not alleged to have assaulted the informant. It is next submitted that in order to implicate the petitioner, it has been alleged that he attempted only. It is submitted that petitioner came to be implicated in the present case as he was known to Chotu Sahani and Pulli Mandal. Learned counsel next submits that the specific allegation of assault is against Chotu Sahani and Pulli Mandal and the petitioner came to be implicated merely because he is friend of Chotu Sahani and Pulli Mandal. Learned counsel, at the cost of repetition, submits that petitioner is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned



counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with K. Hat P.S. Case No. 449 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. further one of the bailors of the petitioner shall be his aunt (Susmita Das).

(Satyavrat Verma, J)

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