

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7781 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- UJIYARPUR District- Samastipur

Shekhar Das @ Chandrashekhar Das @ Shikhar Das, Son Of Nandan Das @
Nandlal Das Resident Of Village Ramnagar Police Station Ujiarpur District
Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 341,
323, 307, 354(A), 326, 448, 504 and 506/34 of the Indian Penal
Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and from perusal of
the allegation as alleged in the F.I.R., it would manifest that the
informant alleges that the accused persons including the
petitioner were constructing a hut on her land and when the
same was objected by her and her husband, it is alleged that the
petitioner assaulted the husband of the informant with spade



causing injury on his head.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that on account of land dispute, the present occurrence took place. It is also submitted that no doubt, the allegation of assault is against the petitioner, but then in the re-statement of the informant recorded by the police at Para-3 of the case diary, it has been stated that all the accused persons assaulted the husband of the informant. It is thus submitted that the informant in her re-statement has not specifically stated that it was only this petitioner, who assaulted her, as such, the allegation in the F.I.R. is at a little variance with her re-statement in the case diary. The learned counsel next submits that even from perusal of the injury report, it would manifest that the injury is on head, but the wound is lacerated.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ujiarpur P. S. Case No.175 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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