

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9479 of 2022

Arising Out of PS. Case No.-281 Year-2021 Thana- ISLAMPUR District- Nalanda

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Dinesh Garain @ Dinesh Prasad @ Dinesh Gasai S/O Late Bhikshuk Garain
R/O Village - Haidarchak, P.S. - Islampur, District - Nalanda.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-09-2022 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, 504, 506, 379, 354, 308/ 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is father of Nipu
Kumar and the informant alleges that on 02.06.2021 at about
7.00 P.M., while he was sitting at Devi Sthan when an
altercation with Nipu Kumar took place on account of trivial
issue relating to egg. It is next alleged that on account of
dispute, Nipu Kumar took Samsung mobile from the
informant's pocket and even it is alleged that accused persons
threw the glasses of the victim and abused him and when the



informant was going back home when he was intercepted by the father of Nipu Kumar that is the petitioner, who tried to strangle him and assaulted him on his chest with bamboo causing injury. Thereafter, it is alleged that all the accused came and Nipu Kumar assaulted the wife of the informant and snatched her gold chain, pulled her sari and thereafter, assaulted the second wife of the informant.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that the dispute was between the informant and Nipu Kumar and petitioner being father of Nipu Kumar has been falsely roped in the case with an allegation that he assaulted on chest with bamboo. It is next submitted that even presuming what has been alleged is true without admitting for the purposes of the anticipatory bail, then the injury caused by the assault is simple in nature as would be evident from Annexure-2 to the anticipatory bail application.

Learned A.P.P. opposes the 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, 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 the learned Court below where the case is pending in connection with Islampur P. S. Case No.281 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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