

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16850 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- PATORI District- Samastipur

ANIL JHA @ ANIL KUMAR JHA Son of Suresh Jha Resident of Village -
Purani Bazar, Ward No.7, Shahpur Patori, P.S.- Shahpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Pandey, APP
For the Informant :	Mr. Ajay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 30-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant 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, 324, 307, 325, 447, 379, 504, 506 and 34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 17.09.2021 at 9.00 pm when he was sitting at his
shop, three accused persons, including the petitioner, came and
started abusing him on which he protested, it is next alleged that
Anju Devi gave orders to kill on which, the petitioner assaulted
the informant with *garasa* on his head causing injury and he fell



down, thereafter Bipin Jha assaulted him with an iron rod causing injury on his right hand and right leg, Anju Devi snatched gold chain of informant worth Rs.50,000/- and further took Rs.10,000/- from a box in the shop. Thereafter, the informant was taken to the Patori Primary Health Centre by the villagers from where he was referred to Sadar Hospital, Samastipur.

Learned counsel for the petitioner relies on Annexure- 3 to the anticipatory bail application to submit that the injuries suffered by informant are simple in nature and thus submits that it amply demonstrates that an altercation had taken place between informant and accused persons due to which the alleged occurrence is said to have taken place in which there was no intention on the part of the petitioner to commit a serious occurrence, it is also submitted that a counter case has also been instituted from the side of the petitioner in which even persons from the side of the petitioner have received injury, it is further submitted that petitioner has been alleged to have assaulted the informant by *garasa* on his head but then his wound is lacerated which further belies the allegation.

Learned A.P.P. for the State after perusing the case diary very fairly submits that injury suffered by the informant is



simple in nature and the same is also corroborated by the report of the Civil Surgeon.

Learned counsel for the informant opposes the prayer for anticipatory bail application of the petitioner but is not able to meet the submission of the learned counsel for the petitioner that even the Civil Surgeon in his report has recorded that injury suffered by the informant is simple in nature.

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. 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/successor court in connection with Patori P.S. Case No. 351 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

