

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16159 of 2022

Arising Out of PS. Case No.-293 Year-2020 Thana- SUPAUL District- Supaul

AMIT KUMAR Son of Umesh Mahto Resident of village - Chainsihpatti,
Ward No. - 8, P.S. - Supaul, District - Supaul, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 504, 509, 354A, 308, 379 and 34 of the Indian Penal Code and sections 3 and 5 of the prevention of witch practices act, 1999.

Allegedly, one Upendra Mahto and Sita Devi insulted the informant by using Dayan word for her and on objection, the FIR named accused persons including the petitioner



assaulted the informant's side by means of lathi, fatha and iron rod.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties and the injuries sustained by the prosecution side are simple in nature. Petitioner has no criminal antecedent and several similarly situated co-accused persons have been enlarged on anticipatory bail by this Court vide order dated 02.08.2022, passed in Cr. Misc. No.8822 of 2022.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused have been enlarged on anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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 Supaul P.S. Case No.293/2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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