

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18267 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- DALSINGHSARAI District- Samastipur

ANAND KUMAR NIRALA Son of Veer Bahadur Ray Resident of Village -
Mokhtiyarpur, Salkhanni, P.S.- Dalsingsarai, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv

For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned APP
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 section 147, 149, 307, 323, 341, 380, 447, 448, 504 of the Indian Penal Code.

Allegedly, the petitioner alongwith other accused persons abused the informant. On protest, co-accused Smita Kumari order to kill her, then her husband assaulted the informant with iron rod due to which she sustained injuries. It is further alleged that when the brother of the informant came to rescue, then the



petitioner assaulted him with iron rod causing injury on his head. The accused persons took away Rs.50,000/- and ornaments of gold and silver from the house of the informant.

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 due to enmity and grudge. 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 a case and counter-case between the parties. Both sides are agnates. In the alleged occurrence both sides sustained injuries and the injuries are simple in nature. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, since there is a case and counter-case between the parties and the injuries are simple in nature, 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 Dalsingsarai P.S. Case No.89 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

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

