

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20065 of 2022

Arising Out of PS. Case No.-562 Year-2021 Thana- CHANPATIA District- West Champaran

KUNDAN KUMAR VERMA @ KUNDAN KUMAR S/O MOHAN LAL @
MOHAN PRASAD R/o Village- Bishunpur Madakar, P.S.- Kumarbag (O.P.),
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 307, 379, 385, 504 and 506 of the Indian
Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

The informant alleges that the accused persons
including the petitioner intercepted him and on orders of
Himachal Shukla all the accused assaulted him by farsa, knife
and sharp edged weapon causing injury on his back, thigh and



palm. Further, Mansoor Mian assaulted the informant causing fracture of leg and he took out Rs.5,000/- along with a golden chain. It is next alleged that Adyawat Tiwary caught his nephew and Vindhyachal Tiwary threatened to pay Rs.2,00,000/- as extortion. Further, Akshay Shukla and Laddu Thakur stabbed his nephew causing injury on stomach and Vindhyachal Tiwary took out his mobile and on alarm accused persons fled away.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant specifically not alleges that who assaulted whom. It is next submitted that petitioner is an elected Sarpanch of the village and the other accused persons having land dispute for which the matter was taken to the petitioner and it appears that the informant was not satisfied with the stand taken by the petitioner, as such, falsely implicated him alleging general and omnibus allegation.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner but are not able to meet the submission of the learned counsel for the petitioner that there is no specific allegation of assault against the petitioner.



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.20,000/- (Rupees Twenty 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 Chanpatia P.S. Case No. 562 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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