

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21370 of 2022

Arising Out of PS. Case No.-367 Year-2021 Thana- AMARPUR District- Banka

GANESH PANJIYARA Son of Jai Prakash Panjiyara Resident of Village - Jagdishpur, Police Station - Jagdishpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

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

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that petitioner assaulted Shivanand and Rajesh with *khanti* due to which Shivanand suffered fracture of radius and ulna as is evident from the supplementary injury report as recorded in the impugned order, further the occurrence took place on account of dispute relating to land.

Learned counsel for the petitioner submits that the date of occurrence is 10.07.2021 and the FIR was instituted on 16.07.2021 i.e., after a delay of six days without any plausible explanation, it is also submitted that if what has been alleged is



true then definitely the injured would have been treated in the hospital and his *fardbeyan* would have been recorded there but the FIR came to be instituted based on an application submitted by the informant to the S.H.O. of the concerned P.S., it is next submitted that petitioner is son-in-law of Naresh Shah and had come to his matrimonial home when he was implicated falsely in the present case only to pressurize his father-in-law and other family members.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and delay in instituting the FIR, 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 Amarapur P.S. Case No. 367 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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