

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20972 of 2022

Arising Out of PS. Case No.-960 Year-2021 Thana- SASARAM NAGAR District- Rohtas

SHUBHAM KUMAR Son of Surendra Singh Resident of Village - Kutraich
Mahavir Asthan, Ward no.5, Street No.14 C, P.S.- Sasaram (T), Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s :	Mr. Suresh Prasad Singh, APP
For the Informant/s :	Mr. Rajnikant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-09-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 354, 379, 427, 448, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a young boy of 20 years of age and the informant alleges that the accused persons, including the petitioner, entered her house and assaulted her husband and children causing injury on the hand of her husband, it is next alleged that they damaged the motorcycle, mobile and snatched her earrings and the petitioner



and Surendra Singh disrobed her with an intention to commit rape.

Learned counsel for the petitioner submits that the petitioner and the informant are neighbours and on account of dispute with three womenfolk of both sides, the present FIR came to be instituted falsely roping the male members of Indrakala Devi's family, it is next submitted that even the allegation of assault is not specific rather the allegation is general and omnibus in nature, it is next submitted that no doubt injury was caused and one injury on the husband of the informant is grievous but then that is on non-vital part of the body, it is thus submitted that since the allegation of assault is not specific and allegation of repeated blow is also not there that amply demonstrates that scuffle took place on account of dispute between the womenfolk of both sides, it is also submitted that petitioner is son of Surendra Singh who has been granted bail by order dated 05.09.2022 in Cr. Misc. No. 20263 of 2022, it is also submitted that petitioner is a young boy and if he is sent to custody, despite allegation of assault being general and omnibus in nature, his entire career would get jeopardized.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the



petitioner, but is not able to rebut the submission and the learned counsel for the petitioner submits that the allegation of assault is general and omnibus 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 trial court 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 trial court where the case is pending/successor court in connection with Sasaram (T) P.S. Case No. 960 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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