

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37165 of 2021

Arising Out of PS. Case No.-105 Year-2019 Thana- HISUWA District- Nawada

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BABLU SINGH @ ABHAY SHANKAR S/O ANIL KUMAR AZAD R/O
VILLAGE-BAJARA, P.S-HISUA, DISTRICT-NAWADA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 27-07-2022 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 341, 323, 324, 307, 326, 379 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that while he was returning from Hisua on motorcycle and when he reached at Bazara More, the accused persons, including the petitioner, were present from before and brother-in-law of Gyan Singh fired at the informant on account of which he fell down from his motorcycle whereupon Bablu Singh with an intention to kill the informant assaulted him by knife on his



head causing injury. Jitendra Singh assaulted the informant on his forehead by butt of the pistol and even gave a knife blow on the head but the informant somehow managed to save himself and got hit on his hand thereafter they took Rs. 10,000/- from the bag of the informant.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that there is a direct and specific allegation against the petitioner of assaulting the informant by knife on his head but from perusal of the injury report it would manifest that the wounds are lacerated as such the allegation of assault by knife gets negated. It is next submitted that one co-accused Gaya Singh has been granted anticipatory bail vide order dated 04.09.2019 in Cr. Misc. No. 55838 of 2019.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner but is not able to meet the submission of the learned counsel for the petitioner that the wounds on the head are lacerated and not incised.

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 Hisua P.S.
Case No. 105 of 2019 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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