

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31824 of 2022

Arising Out of PS. Case No.-422 Year-2021 Thana- KHAJANCHI HAT District- Purnia

1. ADITYA KUMAR @ LALAN KUMAR @ ADITYA SINHA S/o Late Sachidanand Kushwaha @ Sachidanand Sinha Resident of Village- Ram Nagar Polytechnic Purnea (Maranga), P.S.- K. Hat (Maranga), District- Purnea.
2. CHOTU @ KRANJEET KUMAR S/o Late Sachidanand Kushwaha @ Sachidanand Sinha Resident of Village- Ram Nagar, Polytechnic Purnea (Maranga), P.S.- K. Hat (Maranga), District- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

The informant alleges that Bunty Kumar does illegal business of liquor and smack, further on 23.05.2021, one Sonu visited the house of Bunty and after consuming liquor started abusing and when informant's nephew protested then accused persons attacked him causing injury on head by sharp-edged weapon and petitioners also assaulted his nephew.



Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and from perusal of the allegations as alleged in the F.I.R. it would manifest that as far as these petitioners are concerned, against them a general and omnibus allegation has been alleged that they assaulted the nephew of the informant, it is next submitted that allegation is of committing the occurrence in an inebriated condition but no offence under the Excise Act has been alleged. Learned counsel further submits that from perusal of the injury report of informant's nephew (Annexure -3 to the anticipatory bail application) it would manifest that the injury clinically has been diagnosed to be simple caused by hard and blunt substance, it is next submitted that the injury was caused by hard and blunt substance as such allegation in the F.I.R. of assault by sharp edged weapon gets belied by the injury report.

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

Considering the submissions made by the learned counsel for the petitioners and the fact that the petitioners are persons with clean antecedent, the petitioners above-named, in the event of their 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) each 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 K. Hat
(Maranga) P.S. Case No. 422 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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