

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34142 of 2022

Arising Out of PS. Case No.-187 Year-2020 Thana- CHHAURADANO District- East
Champaran

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VIKASH KUMAR SON OF AJAY PRASAD R/O- MOHALLA- WEST
GOPALPUR, P.S.- MOTIHARI TOWN, DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-11-2022 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 341, 323, 324, 307, 379, 504 and 34 of the Indian Penal Code.

The informant alleges that when his two sons were pouring water on newly constructed wall, the same was objected by the accused persons, thereafter, four sons and two daughters of Jang Bahadur and Lalita Devi assaulted informant's daughter and snatched her gold chain, further, Ashok and Santosh assaulted his wife and disrobed her, thereafter, Pradeep assaulted his wife by farsa causing injury on head, thereafter, Antima and Pratima snatched her gold earrings and Jang



Bahadur and petitioner assaulted informant and took Rs. 10,000/- from his pocket, it is also alleged that Jang Bahadur and Lalita also assaulted the informant with gandasa causing injury on head.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and has been falsely implicated in the present case, it is next submitted that allegation of assault is specific against the named accused persons as far as petitioner is concerned, he is alleged to have assaulted the informant along with Jang Bahadur and took Rs. 10,000/- from his pocket, it is also submitted that the injuries suffered by the informant and the injured are simple in nature as has been specifically pleaded at Para 8 of the anticipatory bail application and would be evident from Annexure 3 to the anticipatory bail application which amply demonstrates that accused persons never had any intention of committing a serious occurrence, it is next submitted that Chhauradano P.S. No. 191 of 2020 was instituted from the side of the petitioner against the side of the informant and others.

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, 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 Chhauradano P.S. Case No. 187 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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