

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36653 of 2022

Arising Out of PS. Case No.-182 Year-2020 Thana- KRITYANAND NAGAR District-
Purnia

=====

PAPPU MAHALDAR S/O-SURESH MAHALDAR R/O- VILL-
PHARYANI, WARD NO.- 5, P.S.- K. NAGAR (SRI NAGAR), DIST.-
PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-11-2022 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, 325, 354,
504 and 34 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 on account of dispute relating to sharing of bamboo, petitioner
assaulted him by *Kulhari* causing injury on left shoulder, Suresh
assaulted by *Kulhari* causing injury on his head, Pramod assaulted by
brick causing fracture of rib, rest accused assaulted him brutally
along with his family members.

Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is next



submitted that on a trivial issue of sharing of bamboo, the present occurrence is alleged to have taken place. It is also submitted that even presuming what has been alleged is true without admitting then the assault was not repeated and it is not on the vital part of the body and it is on the shoulder.

Learned counsel for the petitioner further submits that even the order impugned does not record with respect to the nature of injury suffered by the informant on his shoulder which prima facie demonstrates that the injury was not grievous.

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 Krityanand Nagar P.S. Case No. 182 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

