

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38465 of 2022

Arising Out of PS. Case No.-244 Year-2022 Thana- KHAJANCHI HAT District- Purnia

ABHAY KUMAR Son of Shrawan Kumar @ Sharwan Paswan Resident of
Village - Sahawan Tola, Radio Station Road, P.S. - K. Hat, District - Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-12-2022 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 147, 148, 149, 341, 342, 323, 307, 379, 504 and 506 of the Indian Penal Code.

The informant alleges that while he was returning from his coaching centre, he was intercepted by the accused persons including the petitioner along with 10-15 unknown accused who assaulted him and taking him to be dead left him and fled from the place of occurrence and thereafter, he was brought to the hospital where he regained consciousness and then came to know that his watch, Rs. 500 etc were missing, it is further alleged that petitioner assaulted by his knee on his



private parts.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a young boy aged about 18 years and has been falsely implicated in the present case, it is next submitted that the informant alleges that he was assaulted by the accused persons including the petitioner and thereafter he was brought to the hospital but then from perusal of the FIR it would manifest that the same is based on written application, it is next submitted that had the injured being admitted in the hospital in an unconscious state then definitely the hospital would have informed the police where his fardbeyan could have been recorded but since the FIR is based on written application of the informant that creates doubt with regard to the veracity of the allegation as alleged, it is next submitted that the date of occurrence is 06.03.2022 and the FIR has been instituted on 11.03.2022 without any plausible explanation which further creates doubt with regard to the allegation and as such, the allegation does not inspire confidence. Learned counsel next submits that petitioner is a young boy and his entire career would be jeopardized in the event if he is sent to jail in the nature of allegation as alleged.

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 Khajanchi Hat P.S. Case No. 244 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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