

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48819 of 2021**

Arising Out of PS. Case No.-246 Year-2018 Thana- SONBERSA District- Sitamarhi

Jay Kumar S/o Nageshwar Rai R/o Village Khutaha, P.S. Sonbarsa, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 26-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Sonbarsa P.S.
Case No.246 of 2018, registered for the offences punishable
under Sections 341, 323, 324, 307, 504 and 34 of the Indian
Penal Code.

The petitioner is said to have abused and assaulted the
informant on his head by means of rod causing serious injury in
his head.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the father of the
petitioner lodged an FIR against the informant of this case being
Sonbarsa P.S. Case No.231 of 2018. It is submitted that the



occurrence took place on 07.12.2018, but the informant lodged the present FIR on 30.12.2018, i.e., after delay of 23 days without any explanation. It is lastly submitted that the petitioner has got no criminal antecedent as stated in paragraph 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the fact that there is delay in filing the FIR, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-IV-cum-A.C.J.M., Sitamarhi in connection with Sonbarsa P.S. Case No.246 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J.)

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