

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55935 of 2021

Arising Out of PS. Case No.-130 Year-2021 Thana- SONEPUR District- Saran

PANDA @ UPENDRA RAI SON OF SANCHIT RAI R/O VILLAGE-
RAHIMPUR, P.S.- SONEPUR, DISTRICT- SARAN AT CHAPRA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 25-02-2022 Heard the parties.

The petitioner apprehends his arrest in connection with Sonapur P.S. Case No. 130 of 2021 registered for the offence under Sections 147, 148, 149, 323, 324, 379, 307, 504, 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the injury report, the lacerated injury on the head caused by hard and blunt substance. The injuries are after x-ray and NCCT has been found to be simple in nature, allegation against the petitioner is of sword, whereas there is no sharp incised wound. The injury, therefore, cannot be corroborated to the allegation and it is a case of over implication.

Learned A.P.P. opposes the bail application.



Having considered the said aspects and the injury report, merely because of a petitioner is alleged to have caused injury on head, it would not be a case under Section 307 is made out against the petitioner from the fact of the case, therefore, I am inclined to grant benefit of anticipatory bail to the above named petitioner and in the event of arrest he shall be released on bail, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. as well as the following conditions:-

1. The above named petitioner shall furnish personal bond with his recent self-attested photograph and surety of the like amount on the following conditions at the satisfaction of the investigating officer.

2. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

3. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

4. The petitioner shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police;

5. The petitioner shall not leave the territory of Saran



at Chapra (District name) without prior permission of the court,
till trial is over;

6. The petitioner shall maintain law and order;

7. The petitioner shall, at the time of execution of the
bond, furnish his address and mobile number to the
investigating officer, and the court concerned, and shall not
change the residence till the final disposal of the case;

8. The petitioner shall surrender his passport, if any,
before the investigating officer within a week and, if he does
not possess any passport, he shall file an affidavit to that effect
before the investigating officer;

9. The petitioner shall regularly remain present during
the trial and cooperate with the Hon'ble court to complete the
trial for the above offences.

(Sanjeev Prakash Sharma, J)

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