

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59502 of 2021

Arising Out of PS. Case No.-175 Year-2021 Thana- KRITYANAND NAGAR District-
Purnia

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SURAJ KUMAR @ SUNIL KUMAR @ SUNIL KUMAR MEHTA S/o SRI
KALANAND MEHTA R/o VILLAGE-SAURAH, P.S-K.NAGAR
(CHAMPANAGAR), DISTRICT-PURNEA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-06-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with K. Nagar (Champanagar) P.S. Case No. 175 of 2021 for the
offence registered under Sections 323, 341, 324, 325, 379, 307,
506 and 34 of the Indian Penal Code.

The allegation is regarding the petitioner and other
co-accused persons having assaulted the informant and his
brother. As far as the petitioner is concerned, it is alleged that
he had hit the brother of the informant by means of a spade.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is having a clean antecedent. The learned



counsel for the petitioner has referred to paragraph no. 13 of the present petition to submit that the injury sustained by the brother of the informant, attributable to the petitioner herein, has been found to be simple in nature. It is also submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and taking into account the materials on record as also considering the fact that it is the categorical averment of the petitioner in the present petition that the injury inflicted on the brother of the informant, attributable to the petitioner herein, is simple in nature, although I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, however, subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Purnea in connection with K. Nagar (Champanagar) P.S. Case No. 175 of 2021 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is further directed that immediately upon release of the petitioner on bail, the petitioner shall start marking his attendance before the S.H.O. of the concerned Police Station on every Monday of the week at 10:30 A.M., till the charges are framed in the connected case.

It is needless to state that in case of three consecutive defaults by the petitioner in marking his attendance, the present privilege of anticipatory bail being extended to the petitioner shall stand cancelled and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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