

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64432 of 2021

Arising Out of PS. Case No.-354 Year-2021 Thana- KHAGARIA District- Khagaria

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ANKIT PASWAN S/O LATE SHAMBHU PASWAN R/o village- Kamalpur,
Ward No. 19, P.S.- Khagaria, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Adv

For the Opposite Party/s : Mr. Dilip Kumar 1, App

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-07-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 341, 447, 323, 307,
504, 506/34 of the Indian Penal Code.

Allegedly, the petitioner abused and assaulted the
informant by means of iron rod upon which he sustained
injuries.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to enmity. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioner is not specific rather
general and omnibus in nature. There is an admitted land dispute



between the parties. The occurrence took place on 12.04.2021 but the F.I.R. was lodged on 21.04.2021 i.e. after delay of 18 days, without any plausible explanation regarding the delay. He further submits that no independent witness supported the prosecution story. The injuries are simple in nature. Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case and the delay in F.I.R. as well as the nature of injuries, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Khagaria P.S. Case No. 354 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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