

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69048 of 2021

Arising Out of PS. Case No.-338 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

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HARE KRISHNA CHAUDHARY S/o Late Ramdev Chaudhary R/o village-
Belaur, P.S.- Udwantnagar, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks on resumption of physical mode, failing which the office
is directed to place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
325, 307, 337, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is to assault on the
head of informant and temple with handle of spade causing
injury on account of blocking drain.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the written report. He further submits that he has been falsely implicated in this case in order to grab his land. He further submits that as per FIR, it appears that the petitioner did not assault the informant by means of sharp part of spade rather he assaulted her by the blunt part of Spade, so his intention was not to kill her, therefore, Section 307 of the I.P.C. is not made out in this case. He further submits that the injury report shows that the injuries are simple in nature and the petitioner has no criminal antecedent, which is mentioned at para 3 of the bail application.

Learned APP for the State vehemently opposed the prayer for bail petition.

In the aforesaid facts and circumstances of the case, I am inclined to grant anticipatory bail to the above named petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwanthnagar P.S. Case No. 338/2021, subject to the conditions



as laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Chandra Prakash Singh, J)

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