

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.276 of 2022

Arising Out of PS. Case No.-253 Year-2020 Thana- MADANPUR District- Aurangabad

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VINOD KUMAR @ BINOD KUMAR Son of Dawarika Saw Resident of
Village- Madanpur, P.S.- Madanpur, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shailesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Rajendra Nath Jha, APP
For the Informant	:	Ms.Leelawati Kumari, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
504, 354, 379, 307 and 34 of the Indian Penal Code.

The informant alleges that on 08.11.2020 at 8:00 PM
informant's neighbor, including the petitioner, came variously
armed with weapons and started hurling abuses on the informant
and her son and also held informant's hand and on protest by her
son, it is alleged that petitioner assaulted the informant's son
with an iron rod on his head causing injury and thereafter
Dharmendra Kumar stole Rs. 3,000/- from informant's shop and
when the villagers gathered, the accused person fled away.



Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent, has been falsely implicated in the present case and even presuming what has been alleged is true, without admitting for the purposes of anticipatory bail, then allegation of assault causing injury on the head of informant's son, a vital part of the body, is simple in nature and the blow is not repeated as such no intention or motive could be imputed that the assault was made with a view to kill. It is further submitted that petitioner is not a criminal and the occurrence took place on account of dispute between the parties.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioner but are not able to meet the submission of the learned counsel for the petitioner that the injuries caused is simple in nature.

Considering the submissions made by the learned counsel for the petitioner, the 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 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 court below where the case is pending/successor court in connection with Madanpur P.S. Case No. 253 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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