

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1712 of 2022

Arising Out of PS. Case No.-82 Year-2021 Thana- ROSERA District- Samastipur

Sujit Kumar @ Sintu, S/O Shashi Yadav R/O Village And P.O.- Mahuli
Rosera, P.S.- Rosera, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Opposite Party/s : Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 307,
323, 341, 354, 447, 504 and 506 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a young boy aged about 19 years and is a person
with clean antecedent and the informant alleges that the accused
persons including the petitioner started constructing their house
on the land of the informant and when the same was opposed,
the accused Randhir Yadav assaulted the informant with iron rod
causing injury on head and thereafter, it is alleged that nephew
of the informant Sanjiv Kumar was assaulted by the petitioner
with an iron rod and they were treated at Sadar Hospital,



Samastipur.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that on account of land dispute, the present occurrence took place. It is also submitted that from the side of the petitioner also Rosera P. S. Case No.95 of 2021 has been instituted and injuries have been suffered from the side of the petitioner also. It is next submitted that the petitioner is related and there is a land dispute existing as would be evident from the allegation as alleged in the F.I.R. It is next submitted that the present F.I.R. came to be instituted three days after the occurrence without any plausible explanation. The learned next submits that even presuming what has been alleged against the petitioner to be true without admitting for the purposes of anticipatory bail, then the petitioner is not alleged to have repeated the blow, as such, it cannot be said that petitioner had any intention of killing the nephew of the informant. It is next submitted that the petitioner is a young boy and his entire career would be jeopardized in the event, if he is sent to jail and will go in the company of hardened criminal.

The learned Additional Public Prosecutor opposes the anticipatory bail application.



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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Rosera P. S. Case No.82 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C., subject to the condition that one of the bailors of the petitioner shall be the close relative of the petitioner preferably the mother.

The application stands allowed.

(Satyavrat Verma, J)

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