

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17694 of 2023

Arising Out of PS. Case No.-261 Year-2022 Thana- FATUA District- Patna

=====

TINKU KUMAR Son of Samagam Mochi @ Samagan Mochi, Represented
through his natural guardian namely Samadan Mochi @ Ramanuj Das @
Ramanuj Mochi R/V- Machariyawan, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Suraj Deo Singh, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Fatuha PS case no. 261 of 2022, registered
for the offences punishable under Section 307 and other allied
sections of the Indian Penal Code.

The allegation, as per the informant, is that the
accused persons including the petitioner herein were drinking
liquor and listening to obscene songs while sitting in front of the
gate of the house of the informant and when the informant had
protested, they had assaulted the informant and her
brother-in-law. As far as the petitioner is concerned, he is stated
to have assaulted the brother-in-law of the informant by iron rod



on his head.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that there is no injury report on record of the case, as far as the brother-in-law of the informant namely Gullu Mochi is concerned, hence, the allegation levelled upon the petitioner is false and fabricated.

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, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that it is the specific averment of the learned counsel for the petitioner that there is no injury report available on record as far as Gullu Mochi is concerned, upon whom, the petitioner is alleged to have inflicted blow by iron rod, though I deem it fit and appropriate to direct for release of the petitioner on bail, however, subject to verification of the injury report by the learned court of A.C.J.M., Patna City in connection with Fatuha PS case no. 261 of 2022 and further subject to such other conditions as may be deemed



fit and proper to be imposed by the learned trial court for the purposes of grant of anticipatory bail.

The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

