

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19703 of 2023

Arising Out of PS. Case No.-418 Year-2021 Thana- SIKARPUR District- West Champaran

Sanjay Verma @ Sanjay Kumar Verma, Son of Late Vipin Prasad, Resident of
Village- Ajua, P.S.- Shikarpur, District- West Champaran, Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-06-2023 Heard Mr. Ansul, learned counsel appearing on behalf
of the petitioner and learned Additional Public Prosecutor for
the State.

The petitioner apprehends his arrest in connection
with Sikarpur P.S. Case No. 418 of 2021 registered for the
offences punishable under Sections 448, 341, 323, 324, 307,
379, 354, 504/34 of the Indian Penal Code.

Allegedly on account of some dispute, all the accused
persons named in the F.I.R., including the petitioner, barged
into the house of the informant and started assaulting his wife
and snatched her valuables. When the informant came in rescue
to his wife, the petitioner and co-accused Suresh Mahto
assaulted him by means of a sharp edge weapon, resulting into



serious injuries. It is also alleged that the accused persons also took away cash of Rs.40,000/- from his shop.

Learned counsel appearing on behalf of the petitioner submits that there is land dispute between the parties, resulting into a free fight between the family members of the informant and the petitioner, wherein a counter case has also been instituted from the petitioner's side, being Bettiah P.S. case no. 37 of 2021 under SC/ST Act. He further submits that the injuries, which are allegedly sustained on the person of the informant, have found to be simple in nature and moreover it has not been specifically stated that who assaulted on the vital part of the informant, as only omnibus allegation has been levelled against two persons, including the petitioner. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and will not indulge in intimidating the witnesses or tampering with the evidence.

On the other hand, learned counsel for the State vehemently opposes the bail application and submits that specific allegation has been levelled against the petitioner that he assaulted the informant by means of a sharp edge weapon.

Regard being had to the submissions made on behalf



of the parties and considering the nature of injuries, which are simple, coupled with the fact that there is a case and counter case and petitioner having fair antecedent, let the petitioner, above named be, released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Sikarpur P.S. Case No. 418 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C.

(Harish Kumar, J)

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