

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17390 of 2023

Arising Out of PS. Case No.-305 Year-2020 Thana- TRIVENIGANJ District- Supaul

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OMPRAKASH KUMAR @ OM PRAKASH YADAV@ OM PRAKASH
KUMAR YADAV S/O SRI RAJENDRA PRASAD YADAV R/O VILLAGE-
JARAILA, P.S- TRIVENIGANJ, DISTT.- SUPAUL.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor representing the State.

This application, for grant of anticipatory bail, arises
out of Triveniganj Police Station Case No. 305 of 2020, dated
20.10.2020, disclosing offences punishable under Sections
147/148/341/323/307/325/504 of the Indian Penal Code.

The prosecution case, as per the First Information
Report, is that the petitioner has assaulted the wife of the
informant by means of farsha on her head, due to which she
sustained injury.

Learned Counsel for the petitioner submits that both
the parties are agnates and there is land dispute between them.
He further submits that the allegation levelled in the First



Information Report is not corroborated by the injury report inasmuch as in the First Information Report, the allegation is that the petitioner assaulted the wife of the informant by sharp cutting weapon; whereas, the injury report reveals that the injury sustained by the wife of the informant has been caused by hard and blunt substance and the injury has been found to be simple in nature.

Regards being had to the submissions advanced on behalf of petitioner and taking into consideration the fact that the injury caused to the wife of the informant is simple in nature, both the parties are agnates and there is land dispute between them, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Supaul, in connection with Triveniganj Police Station Case No. 305 of 2020, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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