

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17589 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- ATHMALGOLA District- Patna

MUKESH KUMAR son of Late Saryug Ram Village- kedarchak ps-
Athmalgola Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Dular Sah

For the Opposite Party/s : Mr.Anil Kumar

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 Athmalgola Police Station Case No. 170 of 2022, dated 15.06.2022, disclosing offences punishable under Sections 342/323/325/308/379/354/34 of the Indian Penal Code.

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

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to dispute regarding passage between the parties. He next submits that both the parties are agnates and the injury caused to the informant is simple in nature and statement to this effect has



been made in paragraph 8 of this application.

Regards being had to the submissions advanced on behalf of petitioner and taking into consideration the fact that both the parties are agnates, nature of injury has not been mentioned in the impugned order; whereas the petitioner has stated that the injury caused to the informant is simple in nature, 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 Sub Divisional Judicial Magistrate, Barh, in connection with Athmalgola Police Station Case No. 170 of 2022, 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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