

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18688 of 2023**

Arising Out of PS. Case No.-237 Year-2022 Thana- HULASGANJ District- Jehanabad

SHRIKANT KUMAR SON OF ARVIND KUMAR Resident of Village-  
Dihuri, P.S.-Hulasganj, District-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                             |
|----------------------------|-----------------------------|
| For the Petitioner/s :     | Mr.Shivendra Prasad, Adv.   |
| For the Opposite Party/s : | Mr.Md. Mushtaque Alam, APP. |
|                            | Mr. Binod Kumar, Adv.       |
|                            | Mr. Madhu Kumar Sinha, Adv. |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      04-07-2023      Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 325, 307, 354, 504 and 506/34 of the Indian Penal Code.

The prosecution, in short, is that there was some altercation between the parties with respect to land for which a complaint case has been filed before the Circle Officer. When the father of the informant was erecting wall over the disputed land, the petitioner along with other co-accused assaulted the father of informant with Khanti, iron rod, Lathi and bricks, due to which father of the informant suffered injuries. They also assaulted the informant and his family members.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. It is further submitted that the father of the informant had one grievous injury on his forehead, which is not attributed specifically to the petitioner, as it is attributed to another co-accused. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the allegations levelled against the petitioner is that he assaulted the informant's father by means of iron rod indiscriminately, as a result of which he sustained grievous injury. As the allegation levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, as from perusal of record, it is evident that injury sustained by the informant's father on his forehead was caused by other co-accused person, not by this petitioner, let the above named petitioner, be released on bail, in the event of his arrest or



surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Hulasganj P.S. Case No. 237 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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