

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27815 of 2023

Arising Out of PS. Case No.-237 Year-2020 Thana- TRIVENIGANJ District- Supaul

Anil Kumar @ Anil Yadav, S/O- Sunildutt Yadav @ Ramsumdar Yadav
Village- Di,Aroua Ward No-5, Ps- Triveniganj Dist- Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat- Advocate
For the State : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 144, 149, 341, 323, 308, 504, 324 of the Indian Penal
Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that accused persons surrounded her son and
on orders of Upendra Yadav, the accused persons assaulted him
and petitioner assaulted his son by farsa causing injury on head.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case. It is
next submitted that though the allegation is of assaulting the son



of the informant by all the accused persons, but then, the informant also alleges specifically against the petitioner. It is next submitted that from perusal of the injury report, it would manifest that the same does not corroborate the allegation as alleged in the F.I.R. It is further submitted that allegation is of brutal assault by the accused persons including the petitioner, but then, the injury found on the head is lacerated. The learned counsel next submits that from perusal of the injury report i.e. Annexure-3, it would manifest that the doctor has not even opined about the nature of injury, which amply demonstrates that the injury was not grievous.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1, Supaul in connection with Triveniganj P. S. Case No.237 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8. However, the learned trial Court before accepting the bail bonds of the petitioner shall verify the nature of injury from the injury report and in the event, if it is found that the injury is grievous in nature, then the present anticipatory bail order shall not be acted upon and if the injury report does not record about the injury, then in that event, the bail bonds of the petitioner shall be accepted forthwith.

(Satyavrat Verma, J)

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