

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25940 of 2023

Arising Out of PS. Case No.-226 Year-2022 Thana- ATHMALGOLA District- Patna

PAPU KUMAR @ PAPPU KUMAR @ PAPU SON OF CHANCHAL
SINGH R/O VILLAGE- FULELPUR, P.S.- ATHAMLGOLA, DISTRICT-
PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-07-2023 Heard Mr. Manoj Kumar Pandey, learned counsel
for the petitioner and Mr. Akshay Lal Pandit, learned Additional
Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection
with Athmalgola PS Case No. 226/2022 dated 14.08.2022
registered for the offence punishable under Sections 341, 323,
324, 307, 504, 506/34 of the IPC and Section 27 of the Arms
Act.

3. As per prosecution story, while the informant along
with other family members was sitting outside his home, all of a
sudden, all the FIR named accused persons came and started
abusing them and on protest, the accused persons started
beating the informant and others. Allegation against the
petitioner is that he assaulted the informant by means of *Katta*



(a sharp edged weapon) due to which he sustained injury on his hand

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. He next submits that in the First Information Report reason behind occurrence has been disclosed that some of the accused persons had entered into the house of one Rubi Devi for which an FIR was lodged. The accused persons were pressurizing Ruby Devi for compromise which was being protested by the informant. He further submits that the petitioner is not one of the accused persons in the FIR lodged by Ruby Devi. He also submits that the petitioner has allegedly assaulted on the non vital part of the body of informant and the prosecution has not produced the injury report as yet.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that both the parties are co-villagers, the injury has been caused on the non vital part of the body and the nature of injury has not been produced by the prosecution, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, PAPU KUMAR @ PAPPU KUMAR @ PAPU, in the event of arrest or surrender



within four weeks from today, be released on anticipatory 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, Patna in connection with Athmalgola PS Case No. 226/2022, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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