

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23249 of 2023

Arising Out of PS. Case No.-89 Year-2022 Thana- PIPRIYA District- Lakhisarai

Rambharosha Kumar @ Rambharosh Kumar Son of Dilip Singh Resident of
Village-Ramchandrapur, Police Station-Pipariya, District-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar, Advocate
For the State	:	Mr.Ashok Kumar Singh, APP
For the informant	:	Mr. Ashwani Raj Narayan, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the
petitioner and learned APP for the State as also the
learned counsel for the informant.

This is an application for grant of
anticipatory bail in connection with Pipariya P.S.
Case No.89 of 2022, registered for offences under
Sections 341, 323, 307, 379, 504/34 of the Indian
Penal Code.

The allegation is regarding the accused
persons including the petitioner herein having
been engaged in cutting the crops from the field of
the informant, when the informant had arrived
there and protested to the said act of the accused
persons, whereupon the accused persons had



assaulted him and other members of the prosecution party. As far as the petitioner is concerned, he is stated to have pressed the neck of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted by referring to the injury report annexed as Annexure-3 to the present application that the injuries sustained by the informant has been found to be simple in nature. It is further submitted that the present case arises out of case and counter case.

Per contra, the learned APP for the State and the learned counsel for the informant have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact



that the present case arises out of case and counter case, the injuries, if any, attributable to the petitioner suffered by the informant have been found to be simple in nature, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Pipariya P.S. Case No.89 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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