

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26939 of 2023**

Arising Out of PS. Case No.-399 Year-2022 Thana- RAJAPAKAR District- Vaishali

Shivchandra Rai Son Oflate Baiju Rai Resident Of Village- Gangajal Ps-  
Rajapakar , Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      17-07-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 307, 379, 354, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is alleged to have assaulted the informant by a sword causing injury on head.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that there is a land dispute between the parties and from perusal of the allegations as alleged in the FIR it would manifest that other accused persons also assaulted the side of the informant.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegation it appears that petitioner has assaulted the informant on head by a sword causing injury and opinion with regard to the injury is reserved as such it appears that the injury is grievous in nature.

Learned counsel for the petitioner rebuts the submission of the learned APP for the State and submits that it may be a possibility that the injury suffered by the informant is simple in nature as the blow is not alleged to be repeated.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Rajapakar P.S. Case No. 399 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned trial court before accepting the bail bonds of the petitioner shall verify the injury report of the



informant and in the event, if it is found that the injury suffered by the informant on head is grievous in nature, then the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

Rishi/-

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