

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30496 of 2023

Arising Out of PS. Case No.-231 Year-2022 Thana- PARSABAZAR District- Patna

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Sambhu Kumar @ Sambhu Yadav @ Baba Son of Moti Lal Rai Resident of
village - Parsa Bazar, P.S. - Parsa, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Ms.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 14-07-2023 1. Heard the learned counsel for the
petitioner and learned APP for the State.
2. This is an application for grant of
anticipatory bail in connection with Parsa Bazar P.S.
Case No.231 of 2022, registered for offences under
Sections 341, 323, 307, 504, 506 of the IPC.
3. The allegation is regarding the informant
having purchased some building construction
material from the shop of the petitioner and upon
default being committed by him in clearing the
dues, the petitioner along with 8-10 unknown
miscreants had assaulted the informant with sticks
and iron rod, resulting in him sustaining injuries.



4. 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 that a general and omnibus allegation has been levelled against the accused persons and as far as the petitioner is concerned, he is not alleged to have engaged in any sort of specific overtact, hence he is not having any complicity in the alleged crime. It is also submitted that the injury report does not show that the injuries have been found to be grievous in nature.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. 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 a general and omnibus allegation has been levelled against all the accused persons and as far



as the petitioner is concerned, he is not alleged to have engaged in any sort of specific overtact, apart from the fact that he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. 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 ACJM-VIII, Patna in connection with Parsa Bazar P.S. Case No.231 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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