

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39666 of 2023

Arising Out of PS. Case No.-229 Year-2022 Thana- ATHMALGOLA District- Patna

1. MANAS KUMAR SON OF ANANT KUMAR SINGH Resident of Village-
Bahadurpur, P.S-Athmalgola, District- Patna
2. MAYANK KUMAR ANANT KUMAR SINGH Resident of Village-
Bahadurpur, P.S-Athmalgola, 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.Ram Sevak Choudhary, APP
For the Informant	:	Mr.Ashok Kumar Kashyap, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioners, learned counsel
for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 341, 323, 324, 307, 379/34 IPC.

3. After some arguments, learned counsel for the petitioners
seeks permission to withdraw this application with regard to
petitioner no.2.

4. Permission is granted.

5. Accordingly, the instant application with regard to
petitioner no.2 is dismissed as withdrawn.

6. However, petitioner no.2 is at liberty to surrender before
the learned Court below within six weeks from today and seek



regular bail and the learned Court below would pass the order, preferably, on the same day, in accordance with law, without being prejudiced of the withdrawal of this application.

7. This application is now being heard for consideration of bail on behalf of petitioner no.1.

8. Petitioner no.1 along with other accused persons is said to have assaulted the informant by means of iron rod.

9. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Though there is allegation against the petitioner to assault the informant but the injury of the informant which is attributable upon the petitioner no.1 is simple in nature. Petitioner no.1 has two criminal antecedent.

10. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

11. Having regard to the facts and circumstances of the case, since the injury inflicted by the petitioner to the informant is simple in nature, let the above named petitioner no.1, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on



furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Athmalgola P.S. Case No.229/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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