

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36776 of 2023

Arising Out of PS. Case No.-328 Year-2022 Thana- CHHATAPUR District- Supaul

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AJIB KUMAR AZAD @ AJIV KUMAR AZAD @ SANKU MISHRA S/O
RADHEY SHYAM MISHRA R/o Village- Rampur, Ward No.03, P.S.-
Chhatapur, District-Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh,APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-07-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Chhatapur P.S. Case No.328 of 2022, registered
for offences under Sections 341, 323, 324, 325, 307, 379,
354(B), 504, and 34 of the IPC.

The allegation is that while the husband and
brother-in-law of the informant, were going to give cash to
someone and were carrying a sum of Rs.1,30,000/-, on the
alleged date and time of occurrence and had reached near the
house of one Shivshankar Mishra, the accused persons,
including the petitioner herein had abused them and tried to
snatch the cash amount, whereafter they had also assaulted the



husband and brother-in-law of the informant. As far as the petitioner is concerned, he is stated to have assaulted the husband of the informant, namely, Ranjit Kumar.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner is accused in two other cases, but he is on bail in both the said cases. The learned counsel for the petitioner has also submitted by referring to the injury report annexed to the present petition as annexure-3 series that the husband of the petitioner has received simple injuries. The learned counsel for the petitioner has next submitted that the present case arises out of case and counter case and no cash amount was snatched from the husband of the informant.

Per contra, the learned APP for the State has 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 petitioner has not snatched any cash amount from the husband/brother-in-law of



the informant and further the injuries attributable to the petitioner, sustained by the husband of the informant has been found to be simple in nature, 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 A.C.J.M.-V, Supaul, in connection with Chhatapur P.S. Case No.328 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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