

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36767 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- HARINMAR District- Munger

MUNNA SINGH S/O LATE BINDUL SINGH R/O Vill. Baba Kashi Sthan,
Laxmipur, PS. Harinmar, Dist. Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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 Harinmar P.S. Case No.44 of 2022, registered for offences under Sections 341, 323, 307, 313, 504, 506 and 34 of the Indian Penal Code.

The allegation is regarding the petitioner and his wife having arrived at the house of the informant, whereafter they had abused and assaulted the informant. It is alleged that the petitioner had hit the informant on her back with stick, while his wife had kicked in the womb of the informant, resulting in death of the foetus and a still child was born, thereafter.

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 as far as the petitioner is concerned, he is alleged to have only hit the informant on her back with stick, hence he is not having any substantial complicity in the matter, however, the main accused is his wife, who has kicked in the womb of the informant, resulting in the death of the foetus, thus atleast the petitioner be granted the privilege of anticipatory bail.

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 is having a clean antecedent and the injuries attributable to him, sustained by the informant, according to the leaned counsel for the petitioner are 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.-1st, Munger, in connection with Harinmar P.S.
Case No.44 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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