

Arising Out of PS. Case No.-35 Year-2023 Thana- SAHAJITPUR District- Saran

... .. Petitioner/s

Versus

... .. Opposite Party/s

For the Petitioner/s : Mr. Dewendra Narayan Singh
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

2 24-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with the learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354(B), 379, 34 of the Indian Penal Code.

3. The informant alleges that on account of dispute relating to land, the accused persons intercepted him while he was coming back home after closing his shop and assaulted him and the petitioner assaulted by rod causing injury on head, thereafter, Roshan assaulted Om Prakash by knife causing injury on head and the accused persons also misbehaved with female members of the house.



4. Learned counsel for the petitioner submits that the petitioner has antecedent of one case.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the informant is own nephew of the petitioner and the wife of the petitioner has instituted Sahajitpur P.S. Case No. 40 of 2023 wherein she has alleged that the informant of the present case along with Roshan and others came to her house and started assaulting her son and the present informant assaulted her son by knife causing injury on head, it is next submitted that on account of present informant and his side being aggressor, the present occurrence took place, no doubt, there is land dispute between the parties. It is next submitted that from perusal of Annexure-4 to the anticipatory bail application, it would manifest that the informant has received five injuries out of which Injury No. 2 is said to be grievous which is recorded as bruises on the left arm when the petitioner is alleged to have assaulted him by an iron rod on head and the injuries suffered by the injured on head is simple in nature.

6. Learned A.P.P. for the State along with the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner.



7. 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 trial court 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 trial court where the case is pending/successor court in connection with Sahajitpur P.S. Case No. 35 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

U		T	
---	--	---	--

