

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40122 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

MANOJ AGRAWAL @ MANOJ KUMAR AGRAWAL Son of Late Murari
Agrawal @ Murari Lal Agrawal Resident of ward no. 15 Chowk Bazar, P.S. -
Bhabua, Distt. - Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Mishra, Adv.

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

Mr. Rajesh Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 448, 504, 34 of the Indian Penal Code.

3. Allegedly, on 04.02.2023 at about 02:30 PM, all the accused persons including this petitioner entered the shop of the informant and started abusing. On objection, petitioner gave an iron rod blow on the head of the informant repeatedly due to which he sustained injury on his head.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Both the parties are agnates. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is case and



counter case between the parties. He further submits that the concerned doctor directed to the injured person to produce his report regarding NCCT of the head and X-ray of left shoulder, but it has not been produced till date. Therefore, the injuries sustained by the injured were considered as simple in nature. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, let the above named petitioner, 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 Bhabua P.S. Case No. 105 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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