

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44150 of 2023

Arising Out of PS. Case No.-131 Year-2021 Thana- BIKRAM District- Patna

AMOD KUMAR Son of Sarandhar Sharma Village- Gorakhari Ps- Bikram
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Parashuram Singh, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP
For the Informant	:	Mr. Ramanath Kumar Ghanshyam, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection
with Bikram P.S. Case No. 131 of 2021 registered for the
offences punishable under Sections 147, 148, 149, 307, 323,
325, 341, 379, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that accused persons came and on orders of Sarandhar
Sharma, accused Rahul assaulted by rod indiscriminately
causing injury on head, thereafter petitioner assaulted by rod on
his back and arms and Rahul and petitioner thereafter assaulted
his wife and daughter causing injury on jaw, further his wife



received injury on head also and they also snatched their jewelry.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that though there is allegation of assaulting the informant by rod on his back and arms but then the impugned order does not record about the injury, it is further submitted that allegation of assaulting the wife and daughter of the informant is also not specific.

5. Learned A.P.P. for the State and the learned counsel for the informant vehemently oppose the prayer for anticipatory bail of the petitioner and submit that there is specific allegation against Rahul and petitioner of assaulting the wife and daughter of the informant causing injury on jaw and head, it is next submitted that the injury suffered by the wife and daughter of the informant is grievous in nature.

6. Learned counsel for the petitioner rebuts the submission of the learned counsel for the informant and submits that he does not have a copy of the injury report.

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 Court below



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 court below where the case is pending/successor court in connection with Bikram P.S. Case No. 131 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court before accepting the bail bonds of the petitioner shall verify the injury report of the wife and daughter of the informant and in the event, if it is found that they received grievous injury, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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