

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45413 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- CHHABILAPUR District- Nalanda

AKSHAY KUMAR @ CHANDAN KUMAR @ CHANDAN TANTI S/O
SITARAM TANTI R/O VILLAGE- NEKPUR, PS. CHHABILAPUR, DIST.
NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Singh, Adv.
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-08-2023 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 Chhabilapur P.S. Case No.54 of 2023 (G.R. No.2013 of 2023), registered for offences under Sections 341, 323, 337, 307, 504, 506 and 34 of the Indian Penal Code.

The allegation is that while the informant was sitting at his house on the alleged date and time of occurrence, the accused persons, including the petitioner herein had arrived there, whereafter they had abused and assaulted the informant. As far as the petitioner is concerned, he is stated to have assaulted the informant by iron rod on his



head.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present. The learned counsel for the petitioner has further submitted that the petitioner is an accused in one another case, but he on bail in the said case. It is also submitted that a bare perusal of the injury report of the informant annexed as Annexure-3, to the present petition would show that the injuries sustained by the informant have been found to be simple in nature and the incident had taken place on account of dispute having arisen in connection with panchayat election, hence 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 injuries sustained by the informant, attributable



to the petitioner herein, have 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 Judicial Magistrate 1st Class, Biharsharif, Nalanda in connection with Chhabilapur P.S. Case No.54 of 2023 (G.R. No.2013 of 2023), 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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