

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61782 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- KINJAR District- Jehanabad

MANTU MISHRA @ MANTU KUMAR MISHRA@ MANTU KUMAR
S/O NAND MISHRA R/O VILLAGE- PARHA, P.S.- KINJAR, DISTRICT-
ARWAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-10-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kinjar Police Station Case No. 46 of 2023, disclosing offences punishable under Sections 341/323/325/307/354/379/504/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 22.04.2023, when the informant went outside her house for disposal of the garbage, the petitioner threw her by pulling her arm, outraged her modesty and upon noise being raised by the informant, her husband came, then the petitioner assaulted the husband of the informant by means of iron rod on his head.



4. Learned Counsel for the petitioner submits that the petitioner and the husband of the informant are full brothers. There is family dispute between them and a counter case has also been lodged by the petitioner against the informant, her husband and others. Referring to the impugned order, learned Counsel submits that the nature of the injuries has not been discussed in the order. However, upon perusal of the injuries caused to the informant and her husband, it would be evident that the informant has sustained two injuries, i.e. (a) lacerated wound over scalp 2" x 1/2" x skin deep and (b) 1" x 1/2" skin deep and her husband has sustained one injury, i.e. lacerated wound over vertex of scalp 1½" x 1/2" x 1/2", and are not serious in nature.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both, the petitioner and the husband of the informant are own brothers, there is family dispute and previous enmity, counter case is also there lodged by the side of the petitioner, injuries sustained by the informant and her husband appears not serious in nature, I am inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Arwal, in connection with Kinjar Police Station Case No. 46 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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