

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55107 of 2022

Arising Out of PS. Case No.-226 Year-2021 Thana- SUGAULI District- East Champaran

VIKASH SAH Son of Rambabu Sah Resident of Village - Kabeya Bazar ,
P.s.- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in connection with Sugauli P.S. Case No. 226 of 2021 for the offence registered under Sections 143, 447, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

As per the prosecution story, the allegation is that all the FIR named accused including the petitioner assaulted Arjun Sah and allegation against this petitioner is of giving 'iron rod' blow on the head of the informant, Rakesh Kumar causing injury. Accordingly, the FIR.

Learned counsel for the petitioner submits that there was a scuffle and sudden provocation in which allegation of assault is against the petitioner but no second blow was given



and he has taken to this Court to the observation of the learned Sessions Judge to show that the injuries have been found to be simple in nature. He further submits that he do not have criminal antecedent and in view of the fact that both belongs to the same village and there is an allegation of assault, without accepting the same, he would like to contribute towards the medical assistance of Rs. 15000/- to the informant through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials;

Learned APP for the State opposes the prayer for anticipatory bail.

Taking into account the fact that the petitioner is a young boy of 22 years, has no criminal antecedent, injury has been found to be simple in nature and ultimately, he will have to face the music, this Court is inclined to grant him relief, subject to payment of Rs. 15,000/- as stated above.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, East Champaran at Motihari in connection with
Sugauli P.S. Case NO. 226 of 2021, subject to condition as laid
down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/ Neha -

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