

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56401 of 2023

Arising Out of PS. Case No.-179 Year-2023 Thana- DUMRAO District- Buxar

MANGAL SINGH SON OF LATE HEMRAJ SINGH RESIDENT OF
VILLAGE - LALA TOLI, WARD NO.11, P.S. - DUMRAON, DISTRICT -
BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 30-08-2023 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.
2. This is an application for grant of anticipatory bail
in connection with Dumraon PS case no. 179 of 2023, registered
for the offences punishable under Section 307 and other allied
sections of the Indian Penal Code.
3. The allegation is regarding the petitioner having
tried to break the lock of the room of the informant on
28.04.2023 at about 17:00 hours and when the same was
opposed by the informant, he had inflicted a knife blow upon
the informant, whereafter the son and wife of the informant had
also arrived there, who were also assaulted by the petitioner.
4. The learned counsel for the petitioner submits that



the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the present case arises out of case and counter case and the said incident had taken place on account of some quarrel having erupted on account of dispute regarding partition of the residential house. It is also submitted that there is no injury report on record, however, the learned trial court may verify as to whether any injury report is available on record or not and as to whether the injuries are simple or grievous in nature.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. 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 present case arises out of case and counter case and the petitioner is having a clean antecedent, though I deem it fit and appropriate to direct for admitting the petitioner to the privilege of anticipatory bail, however subject to verification of the fact as to whether the injuries sustained by the informant is simple or grievous in nature, by the learned court of Chief Judicial Magistrate, Buxar



in connection with Dumraon PS case no. 179 of 2023 and further subject to imposition of such conditions as may be deemed fit and proper to be imposed for the purposes of grant of anticipatory bail.

7. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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