

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61927 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- MATIHANI District- Begusarai

Santosh Kumar @ Santosh Rai S/O Khagendra Rai @ Khagendra Singh
Village- Rachiyahi Purana Tol, Ps- Matihani, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yogesh Chandra Verma, Senior Advocate
		Mr. Dr. Ramakant Akela, Advocate
For the Opposite Party/s :		Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-10-2023 Heard learned senior counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Matihani P.S. Case No.43 of 2023 instituted under Sections
323, 341, 504, 506, 307 read with Section 34 of the Indian Penal
Code.

3. As per the prosecution case, the allegation against
the petitioner is that he has assaulted the informant on his nose
and head by *lathi-danda*.

4. Learned senior counsel for the petitioner submits
that some scuffle took place between the parties for which there
is a case and counter case between them. The petitioner's F.I.R.
is earlier than the F.I.R. of the informant. The F.I.R. has been



lodged after two days of the alleged occurrence. There is no criminal antecedent against the petitioner. He further submits that during scuffle between the parties, the informant received injury but the petitioner has not assaulted the informant by iron rod as alleged. The petitioner is ready to cooperate in the investigation.

5. Learned counsel for the informant and learned A.P.P. for the State oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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 Judicial Magistrate, 1st Class, Begusarai in connection with Matihani P.S. Case No.43 of 2023 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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