

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60933 of 2023

Arising Out of PS. Case No.-107 Year-2021 Thana- ATHMALGOLA District- Patna

Satya Prakash @ Satya S/O Sri Bhushan Roy Resident Of Alampur, Kachchi
Dargah, Jethuli, Ps. Didarganj, Dist. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo, Adv.

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Athmalgola PS Case No. 107 of 2021, dated 04-06-2021 registered for the offence punishable under Sections 147,148,149,342,447,307,323 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. It is a case of assault upon the family members of the informant by the accused persons, including the petitioner by means of *lathi*, iron rod and butt portion of the pistol.

4. It is submitted by the petitioner's counsel that the petitioner has falsely been implicated in this case. It is further submitted that both the parties have sustained injuries as alleged



in separate incident. It is next submitted that injury sustained by the injured is a lacerated wound caused by hard and blunt substance. Out of three, two injuries are simple in nature. There is general and omnibus allegation against the petitioner. The petitioner is a man of clean antecedent. The other co-accused of this case has been extended the privilege of anticipatory bail vide order passed in Cr. Misc. 66662 of 2021 (Annexure-2).

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, clean antecedent and the fact that other co-accused of this case has been extended the privilege of anticipatory bail vide order passed in Cr. Misc. 66662 of 2021 (Annexure-2) this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, 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 the learned SDJM Barh, in connection with Athmalgola PS Case No. 107



of 2021, dated 04-06-2021 subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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