

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64119 of 2023

Arising Out of PS. Case No.-363 Year-2022 Thana- KOTWA District- East Champaran

PANNALAL PRASAD S/o Basant Prasad R/o Village Nayaka Tola
Ahirawiliya P.S.-Kotwa, Dist.-E. Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the

State.

2. Petitioner apprehends his arrest in connection
with Kotwa P.S. Case No. 363 of 2022 dated 14.9.2022
registered for the offence punishable under Sections 341,
323, 379 and 504/34 of the Indian Penal Code.

3. As per the First Information Report, while the
informant was talking with his brother, namely, Basant
Prasad, in the meanwhile three sons of Basant Prasad
abused the informant and their father and also assaulted
them. It has further been alleged that the petitioner has
assaulted the informant by means of *lathi* on his head.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to family dispute. Both the parties are closely related and the informant is uncle of the petitioner. Learned counsel next submits that the occurrence has taken place on 28.5.2022 but Fard-e-beyan of the petitioner was recorded after a lapse of about three months i.e. on 1.9.2022. Referring to Annexure-2 which is injury report, learned counsel submits that the Doctor has found the injury caused to the informant as simple in nature.

5. Regards being had to the submission made by the parties and taking into consideration the fact that both the parties are closely related, there is inordinate delay in lodging the *Fard-e-beyan* and the injury caused to the informant is simple in nature, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, in the event of arrest or surrender before the learned court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction



of learned Chief Judicial Magistrate, Motihari, East
Champaran, in connection with Kotwa P.S. Case No. 363 of
2022, subject to the condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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