

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68439 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- KUNAUTI District- Supaul

PRAMOD DAS S/o Dhanraj Das R/v- Kunauli, Ward No-3, P.S.- Kunauli,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 341, 323, 324, 325, 307, 379, 504 and 506 of the Indian Penal Code pending in the learned court below.

As per the FIR, there is allegation against the petitioner is that he has assaulted on the brother of the informant by means of Digger.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is case and counter case between the parties and both sides have sustained injuries. He submits that the injury found upon the victim is simple in nature



which is clear from *Annexure- 3/1*. He further submits that the occurrence took place on 29.04.2022 and FIR lodged on 04.05.2022 after delay of more than five months. He submits that there is no any explanation for the delay in filing of the present FIR which creates serious doubt about the prosecution case. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is case and counter case between the parties and both sides have sustained injuries, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kanauli P.S. Case No.54/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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