

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73084 of 2022

Arising Out of PS. Case No.-199 Year-2021 Thana- BANKA District- Banka

SURAJ SAH @ HIRA SAH Son of Niranjana Sah R/V- Bhadrar, P.S- Banka
Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 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 341, 323, 504, 307, 379 and 34 of the Indian Penal Code pending in the learned court below.

Allegation against the petitioner is that he assaulted the informant by the iron rod and due to which he sustained head injury.

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 general and omnibus allegation against the petitioner. He submits that the FIR is bailable except Section 307 and 379 of IPC as no offence under



Section 307 & 379 of IPC is made out as it is not premeditated one and it is occurred on the spur of moment. He further submits that petitioner has got no criminal antecedent 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 injury found upon the informant is simple in nature, 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 Banka P.S. Case No.199/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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