

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1237 of 2023**

Arising Out of PS. Case No.-334 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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GOLU @ RAUSHAN KUMAR @ GOLU SONI @ GOLU KUMAR Son of
Gopichandra Soni @ Gopichandra Prasad Resident of Mohalla- Pakki
Fulwari, Uttarawari Pokhra P.S- Bettiah Town (Kalibagh O.P) Dist- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 16-05-2023 Heard the learned counsel for the
petitioner and learned APP for the State.

This is an application for grant of
anticipatory bail in connection with Bettiah Town
(Kalibagh O.P.) P.S. Case No.334 of 2020, registered
for offences under Sections 341, 323, 324, 325,
307, 379, 504 and 34 of the IPC.

The case of the prosecution, in brief, is
that on the alleged date and time of occurrence,
while the informant was returning back to his
home, the accused persons, including the
petitioner herein had intercepted him and had



abused him. As far as the petitioner is concerned, he is stated to have assaulted the son of the informant on his hand by iron rod.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in two other cases but is on bail in the said two cases. It is also submitted that the injury report of the son of the informant, namely, Suraj Kumar would show that the injuries found on his person are simple in nature, as has been certified by the doctor, hence benefit of doubt be given to the petitioner for the purposes of grant of anticipatory bail. Lastly, it is submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 23.08.2022, passed in Cr.Misc No.14931 of 2022.

Per contra, the learned APP for the State has vehemently opposed the prayer for



bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the overt act engaged in by the petitioner has not resulted in any serious injuries being inflicted upon the son of the informant and the injuries sustained by him have been found to be simple in nature, apart from the fact that similarly situated co-accused persons have already been granted the privilege of anticipatory bail, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount



each to the satisfaction of learned C.J.M., Bettiah,
West Champaran in connection with Bettiah Town
(Kalibagh O.P.) P.S. Case No.334 of 2020, subject to
the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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