

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1907 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- BIBHUTIPUR District- Samastipur

SUMAN KUMAR Son of Satyanarayan Roy R/V- Kalyanpur, Bishanpur
Tola, Ward no. 5, P.S- Bibhutipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar,Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Bibhutipur P.S. Case No.254 of 2022 registered for the offences punishable under Sections 341, 323, 504, 506, 308, 447, 354, 379/34 of the Indian Penal Code.

The allegation is regarding the petitioner having assaulted the informant with iron rod on her head, resulting in her sustaining head injury, when the informant had objected to the petitioner and other co-accused persons constructing a boundary wall on the land of the informant.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the present occurrence had arisen on account of pre-existing land dispute and moreover, the injury found on the person of the informant, attributable to the petitioner herein, has been found to be simple in nature.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory 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 petitioner is having a clean antecedent and the injury found on the person of the informant has been found to be simple in nature, though I deem it fit and proper to admit the petitioner



herein to the privilege of anticipatory bail, however subject to verification of the injury report by the learned trial court.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Rosera at Samastipur in connection with Bibhutipur P.S. Case No.254 of 2022 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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