

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1259 of 2023

Arising Out of PS. Case No.-43 Year-2016 Thana- DAUDNAGAR District- Aurangabad

AMIT SAO @ JATUL KUMAR S/O MANOJ PRASAD @ MANOJ SAO
Resident of village- Sinduar, P.S.- Daudnagar, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Daudnagar P.S. Case No. 43 of 2016, registered for the offences punishable under Sections 341, 343, 307, 504 and 34 of the Indian Penal Code.

The case of the prosecution, in brief, is that on the alleged date of occurrence, the accused persons including the petitioner herein had assaulted the husband of the informant with lathi and sticks, resulting in him sustaining injuries on his mouth, eyes and chest, whereafter the informant had arrived at the place of occurrence to rescue her husband but the accused persons had



also assaulted her by fists and slaps.

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 injuries sustained by the injured persons have been found to be simple in nature and a general and omnibus allegation has been levelled against the petitioner. It is also submitted that the police had in fact found the incident in question to be untrue and had, therefore, submitted the final form but the learned trial court has differed from the same and taken cognizance against the petitioner and others for the offences alleged.

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 a general and omnibus allegation has been levelled qua the petitioner herein, apart from the fact that the injuries found on the injured persons are simple in nature, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

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) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, District-Aurangabad in connection with Daudnagar P.S. Case No. 43/2016 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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