

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9238 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- TARARI District- Bhojpur

Sonu Kumar, Male, age about 25 years, Son of Gorakh Nath Singh, Resident of village - Tarari, P.S.- Tarari, District - Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 20-03-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Tarari P.S. Case No. 166 of 2023 dated 01.10.2023 registered for the offences punishable under Sections 341, 323, 324, 307 and 379 of the I.P.C.

3. As per the prosecution case, on 01.10.2023 at about 8.00 P.M., when the informant was coming to his home after closing his CSP Bank of Baroda and as soon as reached near the Poultry Farm of Chintu Kumar, the petitioner and the co-accused Chintu Kumar who were ambushing came armed with knife and pistol, stopped and abused him. On protest, the petitioner assaulted him with knife on his face causing left eye



injury and the co-accused Chintu Kumar threatened him by showing pistol and snatched Rs. 80,000/- from him. The accused also snatched a gold chain worth Rs. 50,000/- from the neck of the informant. On hulla, when people gathered the informant was brought to the hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that there is dispute between the parties. It is submitted that the father of the petitioner has lodged Tarari P.S. Case No. 167 of 2023 against the informant for the offences punishable under Sections 341, 323, 379, 504 and 506 of the I.P.C. It is further submitted that only to save his skin from the above mentioned case this false case has been lodged by the informant against the petitioner. The petitioner is a 40% handicapped person and not dare to do this type of act. Both parties are the next door neighbours The doctor has found the injury on the person of the informant caused by human teeth bite. The petitioner has three criminal antecedents as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer



for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Bhojpur at Ara, in connection with Tarari P.S. Case No. 166 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

(I) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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