

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7584 of 2024

Arising Out of PS. Case No.-557 Year-2023 Thana- Simri Bakhtiyarpur District- Saharsa

Santosh Kumar Suman Son of Arjun Yadav Resident of Village-Kumedan
Tola, Ward No. 3, Sarauja, P.S.-Sitanabad, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lokesh Kumar, Advocate
For the Informant	:	Mr. Kamal Kishor Singh, Advocate
		Mr. Anil Kumar, Advocate
For the State	:	Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Simri Bakhtiyarpur P.S. Case No. 557 of 2023, registered on 26.09.2023, for the alleged offence under Sections 323, 307, 341, 379, 384, 406, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the informant was assaulted by the petitioner and his associates, causing a number of injuries to him. They were demanding Rs. 50,000/- as *Rangdaari*. They also snatched a mobile phone and some cash from the informant apart from documents of the school of the informant, who has been working as Principal in a School.



04. Learned counsel for the petitioner submits that petitioners are innocent and have been falsely implicated in this case. The children of the petitioner have been studying in the school of the informant and the petitioner made complaint against the informant to the District Education Officer, Saharsa on 31.10.2018 and 26.12.2018 for irregularities being committed in the School. Learned counsel further submits that wife of the petitioner has also filed a case against the informant vide Bakhtiyarpur PS Case No. 560 of 2023 under Sections 341, 323, 354, 379, 504, 506 of the Indian Penal Code. The injury report of the informant shows three simple injuries and one grievous injury and out of three lacerated wound, one is over right parietal region but dimension of which is very small of size $\frac{1}{2}$ " x $\frac{1}{4}$ " x $\frac{1}{8}$ ". Further injuries are on knee and left leg. However, there is a fracture of nasal bone and DNS to left side, which is stated to be grievous. The petitioner has no criminal antecedent.

05. Learned APP for the State as well as learned counsel appearing on behalf of the informant vehemently oppose the prayer for anticipatory bail. Learned counsel for the informant submits that the petitioner caused a number of injuries and there is specific allegation against him that he caused the fracture of bone of the leg of the informant, apart from hitting on his head with country made *katta*.



06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the non-serious nature of injuries in the background of case and counter case of the parties, let the petitioner above named, in the even of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa/concerned court in connection with Simri Bakhtiyarpur P.S. Case No. 557 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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