

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11023 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- SAHAR District- Bhojpur

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Madan Kumar son of Lal Bihari Yadav @ Bihari Yadav Resident of village-
Godihan Ps- Sahar District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 307, 504, 506 of the IPC.

3. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case with an
allegation that he assaulted the son of the informant by
‘Baishakhi’ on his head causing injury. It is further submitted no
doubt injury is on vital part of the body, but then the nature of
the injury has not been opined. It is next submitted that even the



blow was not repeated.

4. The learned APP Mr. Chandra Bhushan Prasad opposes the anticipatory bail application and submits that there is specific allegation against this petitioner of assaulting the son of the informant on head by 'Baishakhi' causing injury. It is next submitted that since opinion with respect to injury has been reserved that amply demonstrates that the injury is not simple.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Bhojpur at Ara in connection with Sahar P.S. Case No.101 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. However, it is made clear that the learned trial court before accepting the bail bond of the petitioner would verify the injury report and, in the event if, it is found that the injuries suffered by the injured on head is grievous in nature, in that event, the present anticipatory bail order shall not be given



effect and if the injury is simple in nature in that event the bail
bond of the petitioner shall be accepted forthwith.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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