

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8409 of 2024

Arising Out of PS. Case No.-354 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Anand Shukla Son Of Late Kripa Shankar Shukla R/O-Sikandarpur Pani
Tanki, P.S.-MOJAHIDPUR, Distt.-BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mojahidpur P.S. Case No. 354/2022 dated 14.09.2022 registered for the offences punishable u/ss 448, 341, 323, 307, 379, 504, 354, 420, 467 and 468 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the house of the informant and assaulted him with fists and slaps. In the meantime, the petitioner assaulted on the head and near the eye of the informant with the butt of country-made gun. Thereafter, the petitioner and the co-accused persons snatched a golden



chain from the neck of the informant's wife. Further, the accused persons also took Rs. 11,000/- and a singed cheque from the pocket of the informant. When the informant's brother and the informant's wife came to rescue, the petitioner and the co-accused persons disrobed the informant's wife and assaulted the informant's brother. It is further alleged that the accused persons including the petitioner took signature of the informant and his wife on a blank stamp paper.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. Learned counsel has submitted that there is no repetition of blow which shows that there is no intention to commit murder of the informant. It is further submitted that the nature of injury has not been mentioned in the impugned order dated 09.11.2022. After investigation, final form has been submitted against the petitioner and the other co-accused persons.

5. Learned A.P.P. for the State has vehemently 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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhagalpur in connection with Mojahidpur P.S. Case No. 354/2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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