

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12823 of 2024

Arising Out of PS. Case No.-180 Year-2023 Thana- TRIVENIGANJ District- Supaul

1. Jogendra Sardar S/o Late Swarup Sarda Resident of Hariharpatti, Ward No. 10, P.S.- Triveniganj, District- Supaul
2. Jai Kishan Sardar @ Jai Krishna Sardar S/o Vidyanand Sardar Resident of Hariharpatti, Ward No. 10, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patla Kumari

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. Learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no. 2, Jai Kishan Sardar @ Jai Krishna Sardar.

3. Permission is accorded.

4. Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to petitioner no. 2.

5. The petitioner no. 1 apprehends his arrest in a case registered for the offences punishable under Sections 148, 149,



447, 324, 427, 341, 323, 308, 325, 354(B), 379, 504, 307 and 34 of the Indian Penal Code.

6. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant with an allegation that petitioner no. 1 assaulted her husband by farsa causing injury on head while petitioner no. 2 assaulted him by means of an iron rod and on his hand causing fracture of the hand. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that on a trivial issue of cutting tree, the occurrence is alleged to have taken place. It is also submitted that petitioner and the informant are related and are having dispute relating to land. It is next submitted that even presuming what has been alleged is true without admitting then the injury suffered by the injured on head is said to be simple in nature and the blow was not repeated. It is further submitted that as far as allegation of assault on hand is alleged by petitioner no. 2, the said injury is said to be grievous.

7. Learned A.P.P. for the State submits that from perusal of the injury report, no doubt it manifests that the injury on head is simple but then as far as injury caused by petitioner no. 2 on hand is alleged, the same is grievous as both radius and



ulna of the husband of the informant got fractured.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner no. 1 above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Triveniganj P.S. Case No. 180 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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