

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11563 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- GORIAKOTHI District- Siwan

Mantu Kumar S/o Arjun Prasad R/o vill - Sathwar, P.S. - Goreyakothi, Distt. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Goreyakothi P.S. Case No. 288/2023 registered for the offences punishable under Sections 341, 323, 307, 379, 354, 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioner is said to have assaulted upon the head by means of lathi as a result of which he sustained head injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to land dispute. Petitioner bears no criminal antecedent. The injury report of the informant indicates that injury is simple in nature and there is no repetition blow upon the vital parts of the body,



as such, no offence is made out against the petitioner under Section 307 I.P.C. He further submits that there is case and counter case between the parties on the same date of occurrence and free fighting cannot be ignored as alleged in the FIR against the petitioner.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Siwan in connection with Goreyakothi P.S. Case No. 288/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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