

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10702 of 2024

Arising Out of PS. Case No.-121 Year-2023 Thana- PIPRIYA District- Lakhisarai

Sonu Kumar @ Sonu @ Karu S/O RAMJEE SHARMA R/O VILLAGE-
RAMCHANDRAPUR, PS.- PIPARIYA, DIST.- LAKHISARAI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Adv.
For the State	:	Mr. Anil Kumar, A.P.P.
For the Informant	:	Mr. Rajesh Kuma, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State and learned counsel for the

informant.

2. The petitioner is apprehending his arrest in connection with Pipariya P.S. Case No. 121 of 2023 registered for the offences punishable under Sections 341, 323, 325, 307, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, co-accused Arjun Sharma is said to have assaulted the informant by means of butt of pistol upon the right temporal region, cheek and lip of the informant as a result of which he sustained injury and fell down. It is alleged that petitioner is said to have assaulted the informant by means of iron rod alongwith 4-5 persons who were not identified by the informant himself.



4. Learned counsel for the petitioner submits that though the allegation of assaulting the informant is attributed against the petitioner but it is not specifically mentioned that which part of informant's body is said to have been assaulted by the petitioner rather the co-accused Arjun Sharma is said to have assaulted the informant(injured) by means of butt of pistol on the specific portions of his body i.e. on right temporal region, cheek and lip. He further submits that so far as the petitioner is concerned, in the F.I.R, nothing has been mentioned that on which part of the body petitioner has assaulted the informant. In the light of the aforesaid circumstance, the allegation attributed against the petitioner is quite vague. He further submits that the injury report of the informant indicates that the portion of body which is injured by the butt of pistol is clearly mentioned in injury report itself. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent.

5. The learned counsel for the informant and learned A.P.P. for the State opposed 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 Chief Judicial Magistrate, Lakhisarai in connection with Pipariya P.S. Case No. 121 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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