

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17313 of 2024

Arising Out of PS. Case No.-305 Year-2015 Thana- MASAUDHI District- Patna

Kamta Prasad @ Kamta Singh S/O Raja Ram R/O VILLAGE-DHANICHAK, P.S.- MASAURHI, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Vishwakarma, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-06-2024 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 147, 148, 341, 323, 504 and 307 of the IPC in connection with Masaurhi P.S. Case No.305 of 2015.

3. In view of the specific pleadings made at para-10 of the anticipatory bail application the defects as pointed out by the office is ignored.

4. As it has been pleaded at para-10 of the anticipatory bail application that the learned advocate of the court below had applied the Chirkut for obtaining the order dated 05.11.2015 passed by the learned Sessions Judge, Patna in ABP No.6694 of 2015, but the court of Registrar, District Court, Patna has provided report of certified copy on 04.03.2023



stating that the records of disposal order dated 05.11.2015 has been destroyed in accordance with law.

5. The learned counsel next submits that petitioner is the senior citizen aged about 74 years and has been falsely implicated in the instant case by the informant with an allegation that he assaulted the father of the informant on head on account of a trivial dispute by lathi, causing injury.

6. It is further submitted that in sum and substance the allegation is that the buffalo of the informant and the petitioner started fighting as they were tied near to each other, on account of which the instant occurrence is alleged to have taken place. It is also submitted that there is no injury report on record and other accused persons have been granted the privilege of anticipatory bail by the learned District court itself.

7. The learned APP opposes the anticipatory bail application.

8. Considering the submission and the fact that petitioner at the time of the occurrence even was a senior citizen and the dispute was trivial and it has been submitted that allegation of assault is false and no injury has been caused to any person, 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 A.C.J.M., Masaurhi in connection with Masaurhi P.S. Case No.305 of 2015, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

