

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15657 of 2024

Arising Out of PS. Case No.-382 Year-2023 Thana- SAHPUR District- Patna

Ajit Kumar S/o Lala Rai @ Lala Prasad Rai R/o village Chandmari, P.S-
Shahpur, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjana Kumar

For the Opposite Party/s : Mr.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 26-04-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Shahpur Police Station Case No. 382 of 2023, dated 03.06.2023, disclosing offences under Sections 341/323/324/307/354/504/506/379/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 03.06.2023, at 07:30 PM, the informant parked his motorcycle and went to his house, in the meanwhile, the neighbours of the informant, who are FIR named accused persons, came there and dashed the motorcycle of the informant. Upon reason being asked by the informant for the same, the petitioner and other FIR named accused persons assaulted the informant by means



of iron rod on his head, due to which he sustained injury.

It has further been stated that the co-accused, namely, Sanjeet Kumar, torn the cloths of the informant's wife.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to dispute between the neighbours. He further submits that the police, after investigation, did not find allegation against the petitioners under Sections 307 and 379 as true and the charge-sheet has been submitted under Section 354 and other allied bailable sections. He next submits that a counter case, bearing Shahpur Police Station Case No. 383 of 2023, has also been lodged by the mother of the petitioner against the informant and others. He next submits that some of the accused persons have been granted anticipatory bail by this Court in Criminal Misc. Nos. 80301 of 2023 and 7217 of 2024.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the police has not submitted chargesheet under Section 307 and 379 against the petitioner and others and some of the accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege



of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna, in connection with Shahpur Police Station Case No. 382 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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