

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18222 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- KHARIK District- Bhagalpur

1. HARILAL PODDAR @ HARI PODDAR S/O- SRI KRISHNADEV PODDAR R/O- VILLAGE- MODI TOLA, KHARIK BAZAR, P.S.- KHARIK, DIST.- BHAGALPUR.
2. SUNNY KUMAR @ SUNNY PODDAR S/O- HARILAL PODDAR @ HARI PODDAR R/O- VILLAGE- MODI TOLA, KHARIK BAZAR, P.S.- KHARIK, DIST.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-04-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and are agnates of the informant and on account of dispute relating to land, the present occurrence is alleged to have taken place. It is further submitted that there is no specific allegation of assault against the petitioner no. 1, who is father of the petitioner no. 2 and the petitioner no. 2 is alleged to have assaulted the informant by an



iron rod causing injury on his head. It is next submitted that no doubt the injury suffered by the injured is grievous in nature but then the blow was not repeated and in moment of anger, it appears that the petitioner no. 2 might have assaulted the informant. It is also submitted that petitioner no. 2 is a student and if he is sent to judicial custody, his entire career would be jeopardized and chances are bright that he may come in contact with the harden criminal which will further restrict his future prospect. Learned counsel relying on Annexure-3 to the supplementary affidavit submits that the relevant documents showing that petitioner no. 2 is a student has been brought on record which includes admit card of T.M. Bhagalpur University, Bhagalpur.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners and also the fact that petitioner no. 2 is a young boy aged about 21 years and is a student, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kharik P.S. Case No. 261 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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