

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23228 of 2024

Arising Out of PS. Case No.-486 Year-2023 Thana- CHHATAUNI District- East Champaran

ANIL PASWAN S/O RAJDEV PASWAN @ RAJDEV RAM R/O VILLAGE-
BARA BARIYARPUR, WARD NO.4, P.S- CHHATAUNI, DISTT.- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 29-04-2024 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 341, 323, 307, 354, 379, 504, 506 and 34 of the Indian
Penal Code.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant with an
allegation that he assaulted the informant by iron rod causing
injury on head. It is next submitted that from perusal of the



order impugned, it would manifest that the same records that the injury report is not recorded in the case diary, as such it is submitted that in absence of injury report the nature of injury was not recorded i.e. whether the injuries suffered by the injured was simple or grievous. It is also submitted no doubt allegation is of assaulting the injured on head by an iron rod causing injury, but then the blow was not repeated and the injury report is also not on record.

4. The learned APP opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Chhatauni P.S. Case No.486 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner shall



verify the injury report of the injured and in the event, if it is found that the injury is grievous in nature, in that event, the present anticipatory bail order shall not be given effect to.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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