

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21156 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- MADHAURAH District- Saran

Dhananjay Singh S/oLate Bikarma Singh Resident of Village- Narharpur P.S.-
Madhowrah Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Morhowrah P.S. Case No. 466 of 2023 registered under Sections 341, 323, 324, 307, 504 and 506 of the Indian Penal Code lodged on 02.08.2023 by the informant, Mirtunjay Singh.

3. As per the prosecution story, the informant alleged that on the issue of movement of water near his house, upon objection, accused persons resorted to assault. Against this petitioner, the allegation of giving ‘*Bhala*’ blow on the neck and head, causing injury. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that they are neighbours and on petty issue, scuffle took place which has been exaggerated and it can be seen from the order of the



learned Sessions that the injury has been found to be simple in nature. Further, he has one criminal antecedent in which he is on bail.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that there is allegation of giving '*bhala*' blow to the informant.

6. Taking into account the submissions put forward by the parties as also the fact that the injuries have been found to be simple in nature, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran, at Chapra in connection with Marhowrah P.S. Case No. 466 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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