

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20582 of 2024**

Arising Out of PS. Case No.-397 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Dipanshu Singh S/o Hari Shankar Singh R/o vill - Chakhasana, P.S. -  
Kuchaikote, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      02-04-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Kuchaikote P.S. Case No. 397 of 2023, registered on 31.07.2023 for the offences under Sections 341, 323, 324, 504, 379, 307/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons assaulted the son of the informant with knife, lathi, danda and shock absorber of a vehicle causing injury to the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation against the petitioner is of giving blow of



shock absorber but the injury report of the son of the informant shows a simple injury caused by sharp cut object of size 1"x1/6"x1/4". However, injury report does not show any other abnormality. Learned counsel further submits that even the injury shown in the injury report may be fabricated as the same could be easily manufactured. No motive has been attributed and the allegations are general and omnibus without showing any intention to kill the son of the informant and hence, there is no application of Section 307 of the Indian Penal Code in this case. The allegation of theft is super addition. The petitioner has got no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of injury allegedly caused by the petitioner and further considering the vague nature of allegation and also taking into account fair antecedent of the petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of



the like amount each to the satisfaction of learned A.C.J.M. 1<sup>st</sup>,  
Gopalganj/concerned court in connection with Kuchaikote P.S.  
Case No. 397 of 2023, subject to the condition as laid down  
under Section 438(2) of the Code of Criminal Procedure and  
other following conditions :

- (i) One of the bailors will be a close  
relative of the petitioner.
- (ii) The petitioner will remain present  
on each and every date fixed by the  
court below, if so required by the  
learned trial court.

**(Arun Kumar Jha, J)**

DKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

