

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24872 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- MANJHAGARH District- Gopalganj

Amar Singh S/o Ganesh Singh R/o vill - Jhajhwa, P.s. - Manjhagarh, Distt. -
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Dimpal Kumari, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-05-2024 Heard Ms. Dimple Kumari, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Manjhagarh P.S. Case No. 376 of 2023 for the offence registered under sections 341, 447, 323, 427, 324, 307, 354, 504, 506, 379 and 34 of the Indian Penal Code lodged on 22.10.2023 by the informant, Sonali Devi.

3. As per the prosecution story, the informant alleged that while she was sitting at her door, the accused persons including this petitioner came and after abuse, assaulted. The allegation against this petitioner is of assaulting by *Tangi* on her head. Accordingly, the F.I.R.



4. Learned Counsel for the petitioner submits that she sustained injury in a different manner but has been attributed to him only because they have land dispute. Further, a perusal of the injury report would show that the same has been found to be simple in nature though she concede that he has criminal antecedent of the same nature.

5. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that allegation of assault is attributed to this petitioner.

7. Taking into account the submissions put forward by the learned Counsel for the petitioner as also that injury has been found to be simple in nature, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 5,000/- as stated above.



8. 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 C.J.M., Gopalganj in connection with Manjhagarh P.S. Case No. 376 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 *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 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 the 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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