

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23342 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- PAHARPUR District- East Champaran

Mahesh Yadav SON OF Late Lutan Yadav RESIDENT OF VILLAGE-
SATHAN DHANI TOLA, PS- PAHARPUR, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv

Mr. Hemant Ray, Adv

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-05-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 325, 307, 354, 379, 504, 506 and 34 of the Indian Penal
Code.

3. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant with an allegation that he assaulted the informant by
farsa causing injury on head.

4. Learned counsel submits that from perusal of the
order impugned, it would manifest that same records that
despite ample opportunities given to the prosecution to produce



the injury report of the injured, the same was not submitted. It is further submitted that whether the injury suffered by the informant is simple or grievous, is not clear, but then fairly submits that injury is on vital part of the body as alleged in the FIR.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Paharpur P.S. Case No. 235 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned trial court after granting provisional anticipatory bail to the petitioner shall call for the injury report of the injured and in the event, if it is found that the injury suffered by the informant is grievous in nature in that event the provisional anticipatory bail granted to the petitioner



shall not be confirmed, but if the injury is found to be simple in nature in that event, the provisional anticipatory bail shall be confirmed on the same terms and conditions.

(Satyavrat Verma, J)

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