

Arising Out of PS. Case No.-20 Year-2024 Thana- KALYANPUR District- Samastipur

AKLU DAS @ AKLU SAHNI S/O DASAI DAS R/O VILLAGE-
KALYANPUR WARD NO. 1, P.S- KALYANPUR, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. VINOD DAS S/O SOMAN DAS R/O VILLAGE- KALYANPUR WARD NO. 1, P.S- KALYANPUR, DISTT.- SAMASTIPUR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-07-2024 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 149, 341, 323, 307, 324, 379, 354, 385, 386, 504, 506 and 34 of the Indian Penal Code.

3. 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 petitioner assaulted the informant with *farsa* causing injury on head and thereafter repeated the blow of *farsa* causing injury on his shoulder.



4. The learned counsel for the petitioner submits that the date of occurrence is 29.08.2023 and the informant instituted a complaint case on 14.09.2023 praying before the learned Judicial Magistrate, Samastipur to direct for instituting an FIR based on which the instant FIR came to be instituted on 20.01.2024. It is further submitted that from perusal of the complaint, it manifests that the informant was treated at Primary Health Center, Kalyanpur from where he was referred to Samastipur and thereafter he was treated at DMCH, Darbhanga, but then it is submitted that had the informant been treated in the hospital as alleged in the complaint, in that event, the hospital would have informed the police, but then that is not the case which amply demonstrates that the occurrence took place in some other manner and the petitioner came to be implicated when petitioner, admittedly, is a person with clean antecedent. It is further submitted that earlier the informant had acted inappropriately with Jagtarni Devi, the wife of the petitioner, on 26.05.2023 in the marriage of Indu Kumari and thereafter had also made the inappropriate video of petitioner's wife viral, for which a *Panchayati* was held in which the informant was fined, but then the said occurrence was committed in May, 2023 and the instant occurrence is alleged to have taken place on



29.08.2023. It is also submitted that petitioner will not abscond rather will co-operate in the investigation.

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 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 Kalyanpur P.S. Case No. 20 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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