

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25976 of 2024

Arising Out of PS. Case No.-141 Year-2020 Thana- RAMGARH District- Kaimur (Bhabua)

Magnu Sah Son of Ram Nagina Sah R/o Village- Upari, P.S.- Ramgarh, Dist.-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-05-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 143, 341, 323, 324, 325, 308 and 379 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, when he is a person with clean antecedent and the informant alleges that the accused persons including the petitioner came variously armed and the petitioner assaulted Rajendra Prasad by sharp edged weapon causing injury on head and thereafter Shiv Pujan Sah assaulted Upendra Sah by means of a sharp cut weapon causing fracture injury on his finger and



hand, thereafter Anil Sah assaulted Chandrawati Devi and even snatched her Mangalsutra and Santosh Sah is alleged to have assaulted the children of the family and the reason for the occurrence is quarrel in between the children of the petitioner's side and informant. The learned counsel submits that on a trivial dispute, the occurrence is alleged to have taken place, where both sides assaulted each other. It is next submitted that no doubt, it is alleged that this petitioner assaulted Rajendra Prasad causing injury on head but then from perusal of the injury report, it would manifest that the injuries are simple caused by hard and blunt substance, when it is alleged that he assaulted by a sharp edged weapon, as such, the injury report belies the allegation as alleged in the F.I.R. It is further submitted that since injuries are simple, as such, it appears that the accused persons never had any intention of committing a serious occurrence.

4. Learned A.P.P. for the State along with learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the injuries suffered by the injured are simple in nature caused by hard and blunt



substance.

5. 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 Court below 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 Ramgarh P.S. Case No.141/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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