

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28443 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- BASOPATTI District- Madhubani

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KUNDAN KUMAR @ KUNDAN SAH S/O LATE SOGI SHAH @ SOGI
SAH R/O VILLAGE- BASOPATTI, P.S- BASOPATTI, DISTT.-
MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Sah, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-07-2024 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 323, 341,
354(B), 307, 504 and 506/34 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. It is further
submitted that from perusal of the allegation as alleged in the
FIR, it would manifest that the informant alleges that the
accused persons along with the petitioner came variously armed
and the petitioner along with Rahul Sah assaulted the informant
by farsa causing injury on the head. It is next submitted that the
date of occurrence is 28.11.2023 and the FIR came to be



instituted on 06.12.2023 i.e. after a delay of seven days without any plausible explanation. It is also submitted that the nature of injury suffered by the injured is simple in nature which amply demonstrates that petitioner never had any intention of committing a serious offence even presuming what has been alleged is true.

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

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 court below where the case is pending/successor court in connection with Basopatti P.S. Case No. 271 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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