

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33706 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Shiv Muni Singh @ Shiv Muni Yadav S/o- Late Ram Pati Singh Vill-
Mahtavania, Po- Asani, Ps-Udavant Nagar, Dist- Bhojpur Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Srijan

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-08-2024 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 147, 149,
323, 307, 504 and 506 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 on account of
dispute relating to land with an allegation that the accused
persons assaulted his son on 18-9-2023, while he was going to
deliver milk to the dairy project, thereafter on 19-9-2023 at 7
AM, the accused persons including the petitioner came and
started abusing and petitioner assaulted the informant with *lathi*
on head causing injury and when his family members came to



save him, they were also assaulted as detailed in the FIR.

4. Learned counsel for the petitioner submits that on account of dispute relating to land, the petitioner has been falsely implicated in the instant case. It is next submitted that the allegation against the petitioner is of assaulting the informant by *lathi* on head causing injury but then the blow was not repeated, which amply demonstrates that petitioner never had any intention of causing a serious injury.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that there is direct allegation against the petitioner of assaulting the informant on head by *lathi* and the injury report is not on record.

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 Udvant Nagar P.S. Case No. 428 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. However, the learned Trial Court, before accepting the bail bonds of the petitioner, shall verify the injury report of the informant and in the event if it is found that the informant suffered grievous injury on head in that event the present anticipatory bail order shall not be given effect to, but if the injury is simple or there is no injury, in that event, the bail bonds of the petitioner shall be accepted forthwith.

(Satyavrat Verma, J)

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