

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30474 of 2024

Arising Out of PS. Case No.-371 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Pramod Musahar, Son of Somaru Musahar @ Somaru Mushar Resident of Village- Awakhara, P.S.- Chainpur, Dist.- Kaimur (Bhabua)
2. Hilal Musahar, Son of Late Ramji Musahar Resident of Village- Awakhara, P.S.- Chainpur, Dist.- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 22-05-2024 Learned counsel for the petitioners submits that the petitioner no. 1 does not want to press the present petition. Accordingly, he seeks permission to withdraw the present anticipatory bail petition.

2. Permission is accorded.

3. Accordingly, the present bail petition stands dismissed as withdrawn against petitioner no. 1.

4. Heard learned counsel for the petitioner no 2 and learned APP for the State.

5. The petitioner no. 2 is apprehending his arrest in connection with Chainpur P.S. Case No. 371 of 2023, registered for the offences punishable under Sections 447, 323, 307, 504,



34 of the Indian Penal Code.

6. As per the prosecution case, when the informant was sitting at his door petitioner no. 2 along with co-accused persons reached there and assaulted the informant and his family members with iron rod and lathi causing head injuries to informant and his son..

7. Learned counsel for the petitioner no. 2 submits that petitioner no. 2 is innocent and have falsely been implicated in this case due to previous dispute. Allegation against the petitioner no. 2 is that he inflicted iron rod on the head of the informant but from the injury report of the informant are simple in nature. He further submits that the informant and petitioners are co-villager and an altercation took place between the children on trivial issues and the occurrence took place. He further submits that the FIR has been lodged after two days of the occurrence. Petitioner no. 2 has no criminal antecedent. Petitioner no. 2 undertakes to cooperate in the investigation and trial.

8. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner no. 2.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the



petitioner no. 2, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on 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 concerned Court where the case is pending in connection with Chainpur P.S. Case No. 371 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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