

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30637 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- PIYAR District- Muzaffarpur

Divyadarsan Kumar S/O Shyam Nandan Thakur village- Tepri,P.S.-
PIYAR(HATTHA O.P.), DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sunil Kumar Pandey, Advocate
For the State : Mr. Narendra Kumar Singh, APP
For the Informant : Ms. Bela Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 354, 504, 506, 509 and 34 of the Indian Penal Code.

3. As per prosecution case, this petitioner along with co-accused Aditya Kumar are alleged to have tried to strangle the wife of the informant due to a land dispute.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the F.I.R. has been lodged after delay of two days, without any explanation for the same, which itself renders the prosecution doubtful. It is next submitted that there is no allegation of overt act against this petitioner and the injuries sustained by the injured have been opined to be simple in nature. Moreover, similarly situated co-accused person, namely Aditya Kumar, has already been granted the privilege of



anticipatory bail by this Hon’ble Court vide order dated 24.06.2024 passed in Cr. Misc. No. 27831 of 2024. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of injuries sustained by the injured, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class (East), Muzaffarpur, in connection with Piya P.S. Case No.32 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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