

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36750 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- KARAHGAR District- Rohtas

Dhanji Singh son of Aniruddh Singh Village- Kauwadih Ps- Kargahar Dist-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Prakash, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 324, 325, 379, 307, 354-A, 448, 504 and 506
read with Section 34 of the IPC in connection with Kargahar
P.S. Case No.292 of 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the present case at the instance by the informant
based on general and omnibus allegation of assault. It is further
submitted that from perusal of the allegation as alleged in the
FIR, it would manifest that no reason for the occurrence has
been alleged. It is next submitted that there was a dispute in
between the family of the petitioner and the informant with



respect to a piece of land, it is further submitted that though in the FIR, it is alleged that Anirudh along with Uday Narayan and Rubi Kumari assaulted with sharp-edged weapon to Yashwant Kumar, causing injury on his head but then there is no injury report of Yashwant Kumar on record. It is further submitted that as far as this petitioner is concerned he is alleged to have, assaulted the informant along with Bihari Singh by garasa, causing injury on head.

4. On query of the Court that what is the nature of the injury suffered by the informant on account of assault made by the petitioner and Bihari, the learned counsel fairly submits that the opinion with respect to the injury till date is reserved.

5. The learned APP opposes the anticipatory bail application and submits that petitioner along with Bihari Singh is alleged to have assaulted the informant by garasa causing injury on head. Further the opinion with regard to the injury is reserved, which amply demonstrates that the injury was not simple in nature. Further the allegation of assaulting informant is on his vital part of the body i.e. head.

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 Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Kargahar P.S. Case No.292 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that 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 injury suffered by the informant on head is grievous in nature, in that event, the present anticipatory bail order shall not be given effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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