

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43891 of 2024

Arising Out of PS. Case No.-576 Year-2023 Thana- MADHEPURA District- Madhepura

Bijendra Kumar @ Bijendra Yadav s/o Chandeshwari Yadav R/o Village-
Pirpatta, Ward No.-11, P.S.-Madhepura (Bharrahi O.P) District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2024 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 offence punishable under Sections 341, 323, 307, 385, 379, 427, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and the informant alleges that on 06.06.2023, all the named accused persons including the petitioner came variously armed and caught the informant at his door and asked him to compromise the previous case, on objection, it is alleged that petitioner assaulted the informant by an iron rod causing injury on head and the accused persons also took away Rs.10,000/- from the shop of the informant.

4. The learned counsel submits that petitioner is own



nephew of the informant and on account of dispute relating to property, the present false case came to be instituted. It is also submitted that no doubt the allegation is of assaulting the informant on head by an iron rod causing injury but then from perusal of the order impugned, it would manifest that same does not record about the nature of injury suffered by the injured, which amply demonstrates that the injury is simple in nature.

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

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 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 Madhepura (Bharrahi O.P.) P.S. Case No.576/2023, 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 bond of the petitioner shall verify the injury report of the injured and in the event if it is found that the injury suffered



by the informant is grievous in nature in that event the present
anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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