

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42215 of 2024**

Arising Out of PS. Case No.-543 Year-2023 Thana- PIRO District- Bhojpur

Shankar Dayal Chaubey S/O Late Bagwati Chaubey R/O Village- Chaubey  
Pur, P.S. Piro, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gopal Govind Mishra, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      14-08-2024                      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 341, 323,  
307, 379 and 504/34 of the Indian Penal Code.

3. By order dated 10.07.2024, case diary along with  
the injury report was called for but the same till date has not  
been received.

4. The Court will not wait for the case diary and the  
injury report and thus proceeds on merit.

5. Learned counsel for the petitioner submits that  
from perusal of the allegation as alleged in the FIR, it would  
manifest that the allegation is in two parts and the petitioner is  
alleged to have assaulted the son of the informant, namely,  
Manoj Kumar Upadhyay by an iron rod causing injury on his



head. Learned counsel further submits that he is not aware what was the nature of injury caused to Manoj Kumar Upadhyay.

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

7. Considering the submissions made by the learned counsel for the petitioner, let 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 court below where the case is pending/successor court in connection with Piro P.S. Case No. 543 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court before accepting the bail bonds of the petitioner shall verify the injury report of Manoj Kumar Upadhyay and if it is found that he suffered grievous injury on head in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

