

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43141 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Dawarika Nath Prasad S/O Bairistar Prasad @ Bairister Prasad R/O Village
Rupchhap Ps Vishambharpur District Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Vishambharpur P.S. Case No. 13 of 2024 dated 10.02.2024 instituted
for the offence punishable under Section 323, 324, 325, 307, 354,
379, 447, 504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date of occurrence, the petitioners along with other accused persons,
armed with lathi-danda, assaulted the informant and his family
members. Allegation against the petitioner is that he inflicted spade
blow upon the informant, due to which he sustained injury in his
head.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this case.
It is further submitted that both the sides are agnates. There is a case



and counter case between the parties. Petitioner has lodged a case bearing Vishambharpur P.S. Case No. 14 of 2024 under Section 307 of the Indian Penal Code and its allied sections against the informant's side. Learned counsel for the petitioner submits that the injury report does not corroborate the allegation levelled against the petitioner. Learned counsel for the petitioner submits that doctor has opined that the injury sustained by the informant is simple in nature caused by hard and blunt substances. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Vishambharpur P.S. Case No. 13 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IVth, Gopalganj subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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