

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.45191 of 2024

Arising Out of PS. Case No.-83 Year-2020 Thana- MAHKAR District- Gaya

Sanjay Yadav @ Sanjay Kumar Yadav Son of Late Chanirak Yadav @ Late Chandrika Yadav @ Late Chanderka Yadav Village- Hatiwan @ Hathiyawan Ps- Mahkar Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan
For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 24-07-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mahkar Police Station Case No. 83 of 2020, dated 03.08.2020, disclosing offences under Sections 341/323/308 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner assaulted the informant by means of iron rod (khanti) on his head.
4. Learned Counsel for the petitioner submits that due to some dispute between the petitioner and the informant,



which would be evident from the First Information Report, the scuffle took place between the parties. He further submits that during course of investigation, the petitioner was given benefit of Section 41 (1) of the Code of Criminal Procedure, however, after filing of the charge-sheet under non-bailable section, the petitioner is apprehending his arrest. The injury caused to the informant is simple in nature as would be evident from impugned order itself.

5. Regards being to the submissions made on behalf of the parties and taking into consideration the fact that the injury caused to the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Mahkar Police Station Case No. 83 of 2020, subject to the condition laid



down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

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