

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59585 of 2023

Arising Out of PS. Case No.-305 Year-2023 Thana- MAJHAULIA District- West Champaran

Hari Ram Son Of Late Sita Ram Resident Of Village - Mohadi Sugar, Ward
No. 10, P.S. - Gopalpur, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Majhaulia P.S. Case No. 305 of 2023 registered for the offence punishable under Sections- 341, 147, 148, 149, 323, 324, 307 and 504 of the Indian Penal Code.

3. Prosecution case in short is that while the informant's father was digging soil in his field, the accused persons having been armed with weapons came there and snatched spade (*kudal*). The allegation against the petitioner is of assaulting the informant's father as a result of which he received injury and fell on the ground. While the informant came to rescue his father, he was also assaulted.



4. It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in the present case. Learned counsel has submitted that the specific allegation of assault on the head of father of the informant is against co-accused *Patthar Ram* and, not against the petitioner. The specific allegation against the petitioner is of assaulting the informant who suffered simple injury. Learned counsel has submitted that as a matter of fact, the land to which the father of the informant was excavating, belonged to the petitioner. He has also submitted that there is case and counter case between the parties.

5. On the other hand, learned counsel for the informant has opposed the prayer for anticipatory bail and submitted that the petitioner inflicted repeated blows on the person of the informant and made him injured.

6. Considering the above-mentioned facts and circumstances of the case, let the petitioner named above, in the event of his arrest or surrender within a period of 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, Bettiah, West Champaran in connection with Majhaulia P.S. Case No. 305 of



2023 subject to the conditions as laid down under Section 438 of the Cr.P.C.

7. After accepting the bail bond of the petitioner, the learned court below shall verify the criminal antecedent of the petitioner.

(Nawneet Kumar Pandey, J)

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