

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57339 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- JAHANABAD District- Jehanabad

Krishna Pal Son Of Late Basudeo Bhagat Resident of Village- Dhandhar
Bigha, PS -Jehanabad Kalpa O P, Dist- Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Jehanabad P.S. Case No. 95 of 2024, registered on 02.02.2024, for the alleged offence under Sections 341, 323, 379, 504, 506 of the Indian Penal Code.

03. As per prosecution case, the petitioner, in drunken condition, abused the informant and his wife and when the informant forbade him from doing so, the petitioner struck him on his head with rod, causing its fracture. While fleeing away, the petitioner snatched a gold locket and mobile worth Rs. 40,000/- from the informant.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. The FIR has been lodged after two days of the occurrence and there is no explanation for the delay. No injury report has been brought on record, which shows the allegation of causing injury is false. The petitioner and the informant are co-villagers and next door neighbours and the informant has falsely implicated the petitioner due to some old grudge. All sections are bailable in the FIR except Section 379 of IPC but the same is super-addition. The petitioner has got clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the absence of injury as alleged and further considering the clean antecedent of the petitioner and probability of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 95 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and



other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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