

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55590 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Mataru Singh S/o Late Nanku Singh R/o VILL - DEWRADH KHURD, P.S. -
KUDRA, DISTRICT - KAIMUR (BHABUA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Sunil, Advocate
For the Opposite Party/s	:	Mr. Manoj Kumar, APP
For the Informant	:	Mr. Aditya Narayan Singh no.1, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-09-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Kudra P.S. Case no.171 of 2024 registered for the offence punishable under sections 307, 323, 447, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that over a dispute relating to construction of a drain, his cousin brother gave a blow with a spade leading to injuries on his head and bleeding started.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The manner of occurrence is other than what has been narrated in the



FIR. The reason of false implication of the petitioner is evident from the contents of the FIR itself that it was a trivial dispute relating to construction of drain between cousin brothers. The injuries have been found to be simple in nature vide injury report at Annexure-P/2. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that not only the petitioner is named in the FIR but there is direct allegation against him of having given a spade blow on a vital part of the body and the allegation being supported from the contents of the injury report (Annexure-P/2), it is not a case for anticipatory bail.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the relationship between the parties together with the nature of injury having been found to be simple in nature, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kudra P.S. Case no.171 of 2024 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Mohania, Kaimur (Bhabua), subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

Saurabh/-

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