

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57091 of 2024

Arising Out of PS. Case No.-158 Year-2018 Thana- FATEHPUR District- Gaya

Surendra Kumar @ Surendra Prasad S/o Ram Swaroop Mahto R/o Village
Bhare, Police Station Fatehpur, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate.

For the Opposite Party/s : Mr. Bishweshwar Ram, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Fatehpur P.S. Case No.158 of 2018 instituted under
Sections 341, 323, 324, 308, 504 of the Indian Penal Code.

3. As per the prosecution case, when the petitioner
was digging the land situated at the backside of the informant's
house, the informant raised objection, on which petitioner
assaulted him, due to which he sustained head injury and cut
injury on his finger.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case due to land dispute. He further submits that both the parties
are agnates. Learned counsel submits that from the impugned



order, it appears that the injury report was not available on record. He further submits that the petitioner has no criminal antecedent and undertakes to cooperate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate-X, Gaya in connection with Fatehpur P.S. Case No.158 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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