

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60293 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- TANKUPPA District- Gaya

Nitish Kumar S/O Chandu Yadav @ Chandra Yadav R/O Village- Jehli Bigha,
P.S- Tankuppa, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 427, 325, 354, 307 of the IPC in connection with Tankuppa P.S. Case No.39 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that petitioner assaulted her by an iron rod causing injury on head as she objected grazing of her vegetable fields by goats of Pramila and Munni.

4. The learned counsel submits that petitioner has been falsely implicated in the instant case. It is also submitted that Tankuppa P.S. Case No.50 of 2024 was instituted from the side of the petitioner against the informant and her side. It is



also submitted that from perusal of the order impugned it would manifest that the same records about the size of the injuries, but does not record whether it was simple or grievous. It is next submitted that the injuries suffered by the injured was simple in nature.

5. The learned APP opposes the anticipatory bail application and submits that though at para-10, it has been pleaded that injuries suffered by the injured is simple in nature, but then injury report is not annexed nor the order impugned records about the nature of the injury.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Gaya in connection with Tankuppa P.S. Case No.39 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the injury of the informant and in the event if it is found



that informant suffered grievous injury on head, in that event,
the present anticipatory bail order shall not be given effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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