

Arising Out of PS. Case No.-166 Year-2023 Thana- MUFFASIL District- Aurangabad

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 **1.** Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 308, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 21-4-2023, the accused persons including the petitioner came and petitioner assaulted his mother by lathi causing injury on head and Metri Devi took gold chain of his mother worth Rs. 60,000/-.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that on account of dispute relating to land, an altercation had taken place in which both sides assaulted each other. It is also submitted that even presuming what



has been alleged is true without admitting then the injury has been opined to be simple in nature (Annexure-2) which amply demonstrates that petitioner never had any intention of committing a serious occurrence. It is next submitted that even charge sheet has been submitted and cognizance has been taken under Sections 341, 323, 308, 504 and 34 of the IPC, which amply demonstrates that no offence under Section 307 of the IPC was made out.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Aurangabad Muffasil P.S. Case No. 166 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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