

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70057 of 2024

Arising Out of PS. Case No.-225 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

Shailendra Singh @ Shailendra Kumar Singh Son of Late Bachha Prasad
Singh Village- Fulsakra, P.S.- Sahebganj, Dist.- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-09-2024 1. Heard learned counsel for the petitioner and
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, 307, 379, 504 and 34 of the Indian Penal
Code.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the informant
alleges that on 28.05.2022 at 8 pm while his son was getting his
land ploughed when the accused persons came and started
assaulting him, and when informant objected, petitioner
assaulted his son by *Dab*, causing injury on head, thereafter
Anand and Jayant assaulted his wife by an iron rod, causing
injury on right hand and snatched her chain.



4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from the side of the petitioner, Sahebganj P.S. Case No. 224 of 2022 has been instituted against the side of the informant and others. It is also 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 from perusal of (*Annexure-3* series), it would manifest that the injury suffered by the injured is simple in nature, which amply demonstrates that petitioner never had any intention of committing a serious occurrence.

5. The learned APP for the State opposes the anticipatory bail application.

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 1st Class, West Muzaffarpur in connection with Sahebganj P.S. Case No. 225 of 2022, subject to the conditions laid down under Section 438(2)



of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even more than one case, in that event, the present anticipatory bail order shall not be given effect.

8. **The application stands allowed.**

(Satyavrat Verma, J)

Sudhanshu/-

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