

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69601 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- DIGHALBANK District- Kishanganj

Dharam Lal Mallah @ Dhetta @ Dharam Lal Murmu Son of Late Anup Lal Mallah R/o Village- Mustafaganj, Ward No.15, P.S.- Dighalbank, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. As per the FIR, the petitioner abused and assaulted the son of the informant. He also snatched Rs.11,000/- and mobile phone from him.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is a case and counter case between the parties. It is further submitted that the injuries are of simple



nature. There is no specific overt act against the petitioner. It is further submitted that the occurrence took place on 18.06.2024 and the FIR was lodged on 24.06.2024 i.e. after a delay of days and there is no explanation given about the said delay in the FIR. Petitioner has two criminal antecedents.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the injuries are of simple nature, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Dighalbank P.S. Case No.71 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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