

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71764 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Jagjiwan Kumar S/o- Subash Ram Village- Manjhariya Khutaha Ps- Buxar
Industrial Area Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Buxar (Industrial Area) P.S. Case No. 154 of 2024 dated 10.07.2024, instituted for the offence punishable under Sections 191(2), 190, 115(2), 109, 303(2), 352 of the Bhartiya Nyaya Sanhita.

3. The prosecution case, in short, is that, on 02.07.2024, one Putul Kumari put some sand in the hand pump and then petitioner along with other accused persons with common intention started assaulting the informant's side. Jagjiwan Kumar (petitioner) with intention to kill inflicted lathi blow upon the informant and caused injury in his head. Other accused persons pelted brick and stone and injured the cousin of



informant namely, Rajesh Kumar Ram and father Banarasi Ram.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is a specific allegation of petitioner that he assaulted with lathi on the head of informant. It is further submitted that there is a case and counter case between the parties. Co-accused namely, Dhanjee, has lodged Buxar (Industrial Area) P.S. Case No. 153 of 2024 against the informant's side for offences under Sections 191(2), 190, 115(2), 329(3), 329(4), 303(2), 76, 352 of the Bhartiya Nyaya Sanhita Act before filing of the present FIR. So far the injury is concerned, the doctor has opined the injury to be simple in nature caused by hard and blunt substance. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Buxar (Industrial Area) P.S. Case No. 154 of 2024, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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