

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71811 of 2024

Arising Out of PS. Case No.-665 Year-2022 Thana- KOILWAR District- Bhojpur

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Pawan Kumar Singh S/O Mithilesh Singh R/O Village- Jamalpur, P.S-
Koelwar, Distt.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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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
Koilwar P.S. Case No. 665 of 2022 dated 19.10.2022, instituted
for the offence punishable under Sections 341, 323, 324, 307,
504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that on the date of
occurrence the petitioner came to shop of the informant and
asked him to repair the electricity of his house but the informant
replied that he is not well so he can't go with him. On which the
petitioner started abusing the informant. In the meantime, elder
brother of the petitioner came and tried to persuade the
petitioner but the petitioner did not listen, upon which, the elder
brother of the petitioner slapped him. The petitioner went away



but after some time he came with knife and stabbed the informant and his elder brother.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the allegation levelled against the petitioner is false and concocted, which is manifest from the F.I.R. as well as opinion of the doctor who examined the injured Jitendra Kumar (informant). There is no mention about such type of injury mentioned in the prescription issued by Health and Family Welfare Department, Primary Health Centre, Koilwar, Bhojpur. It is submitted that there is no mention about the nature of injury and cause of injury in the impugned order. It is further submitted that the case has been compromised between the parties and a compromise petition has been filed before C.J.M., Bhojpur at Ara. Lastly, it has been submitted that he has no criminal antecedent.

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 Koilwar P.S. Case No.



665 of 2022, 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 C.J.M., Bhojpour at Ara, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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