

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.72211 of 2024

Arising Out of PS. Case No.-43 Year-2019 Thana- MALAYPUR District- Jamui

Chandan Singh @ Chandan Kumar Son of Sri Manohar Singh R/o Village
and P.S.- Malaypur, District - Jamui, Bihar - 811313.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Narayan

For the Opposite Party/s : Mr. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 29-10-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Malaypur Police Station Case No. 43 of 2019,
disclosing offences under Sections 341, 323, 324, 307, 379 and
504 of the Indian Penal Code.

3. As per the prosecution case, on 28.05, 2019, when
the informant was closing his sweet shop in the night, the
petitioner arrived there, demanded bottle of cold water and upon
refusal by the informant, he assaulted the informant by means of
sickle (*hasua*).

4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case due to
some altercation between the informant and the petitioner. The
petitioner was given benefit of Section 41A of the Cr.P.C. and he
cooperated with the police in the investigation. Police, after
investigation, submitted charge sheet against the petitioner
under bailable sections, however, learned Magistrate differed



with the charge sheet and has taken cognizance under Section 307 of the I.P.C. also. The injury caused to the informant is simple in nature which would be evident from the impugned order itself.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that injury caused to the informant is simple in nature and the petitioner all along cooperated with the investigation while given advantage of Section 41A of Cr.P.C., I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jamui, in connection with Malaypur Police Station Case No. 43 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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