

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80849 of 2024

Arising Out of PS. Case No.-408 Year-2021 Thana- KHIJARSARAI District- Gaya

Chunchun Kumar S/O Shashi Bhushan Kumar @ Shashi Bhushan Sharma
R/O Village- Bana, P.S- Khizarsarai, Distt.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijeshwar Narayan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and Mr.
Anish Chandra, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Khizarsarai P.S. Case No. 408 of 2021 instituted for the offence under Sections 147, 341, 323, 354, 379 and 504 of the Indian Penal Code.

3. The case of the prosecution is that one Dilip Kumar was forcefully ploughing the field of the informant when the informant objected the same, co-accused persons along with this petitioner started assaulting the informant. It is further alleged that when the daughter of the informant came, she was also being assaulted by them.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of the FIR, it is clear that there is general and omnibus allegation against the petitioner of assaulting. Learned counsel for the petitioner has submitted that other co-accused persons have already been granted anticipatory bail by the trial Court itself which is supported by Annexure-2 of this petition. Nothing specific allegation of assault has been attributed against the petitioner. A statement has been made in para-3 of this petition that he has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Khizarsarai P.S. Case No. 408 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III,



Gaya subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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