

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79445 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- PRATAPGANJ District- Supaul

MITHILESH KUMAR BHINDWAR son of Upendra Bhindwar Village-
Sripur W.No-4, Ps- Pratapganj Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 16-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 308, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent. It is further
submitted that the petitioner and the informant are related and
on account of dispute relating to land, the alleged occurrence is
said to have taken place. It is further submitted that the
allegation against the petitioner is of assaulting the informant
by *Kulhadi* on head causing injury. It is further submitted that
from perusal of the allegation as alleged in the FIR, it manifests



that the blow was not repeated, as such, the petitioner never had the intention of causing any grievous injury.

4. The learned APP, Rabindra Kumar, submits that by order dated 5-3-2024 passed by a learned coordinate bench, case diary along with injury report was called for, but the same till date has not been received.

5. The court will not wait endlessly for the case diary and the injury report.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Pratapganj P.S. Case No. 54 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned trial court before accepting the bail bonds of the petitioner shall verify the injury report of the injured and in the event if it is found that the injury suffered by the injured on the head is grievous, in that event, the present



anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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