

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75414 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- HATHUA District- Gopalganj

Narendra Puri S/o Late Gorakhpuri Resident of village - Machhagar Jagdish,
Police Station - Hathua, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Miss.Tooba Hera, Advocate
	:	Mr.Thakur Brajesh Singh, Advocate
	:	Mr.Pratyush, Advocate
For the Opposite Party/s :		Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-11-2024 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Hathua PS case no. 289 of 2023, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 13.11.2023 around 12.25 pm, the informant was surrounded by petitioner and other accused persons having iron pipes, hockey sticks in their hands, they abused him and when the informant objected, on the order of petitioner, co-accused persons assaulted him with hockey stick, iron rod etc.



4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to previous enmity between one Motichand Sah and informant. On 13.11.2023 at 5 pm, Motichand Sah had lodged a case against the informant of this case bearing Hathua PS Case No. 266 of 2023 for an occurrence, which took place on 12.11.2023 at about 10 pm. The second F.I.R. bearing Hathua PS Case No. 267 of 2023 has been lodged by the informant of this case on 13.11.2023 at about 5.25 pm, alleging assault by the side of Motichand Sah. Learned counsel further submits that as per the F.I.R., the petitioner can, at best, be said to be the order giver. The petitioner is stated to be having no criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is an order giver having no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six 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 Additional Chief Judicial Magistrate,
Gopalganj in connection with Hathua PS case no. 289 of 2023,
subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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