

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77754 of 2024

Arising Out of PS. Case No.-429 Year-2024 Thana- BHAGWAN BAZAR District- Saran

Prince Kumar @ Prince Gupta Son of Arjun Gupta @ Rameshwar Prasad
Resident of Mohalla- Shiv bazar P.O. and P.S.- Bhagwan Bazar, Near Dhela Ji
Temple, Dist.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amir Alam, Advocate
For the Opposite Party/s	:	Mr.Tapeshwar Sharma, APP
For the Informant	:	Mr. Subham Saurav, Advocate
	:	Mr. Avinash Kr. Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 226-11-2024
1.

Heard learned Counsel for the petitioner and learned APP for the State.
2.

This application, for grant of anticipatory bail, arises out of Bhagwan Bazar PS case no. 429 of 2024, disclosing offences punishable under Section 309(6) of B.N.S. Act, 2023.
3.

The prosecution story, as per the First Information Report, is that on 19.08.2024 at about 8 pm in the night, while the informant was returning to his home, he was surrounded by the petitioner along with 3-4 unknown persons. It has been alleged that petitioner asked the informant to part with his golden chain, diamond ring, mobile phone and cash amount of



Rs. 50,000/-, otherwise he would be killed. It has further been alleged that petitioner gave knife blow to the informant, due to which, he sustained injury on his left hand.

4. Learned Counsel for the petitioner submits that petitioner has falsely been implicated in this case due to previous dispute between the parties. The fact of the case is that on the date of occurrence, petitioner along with other co-villagers were standing near the Dhela Ji Temple on the eve of Raksha Bandhan. The informant was coming on a motorcycle which collided with the petitioner and thereafter, some hot exchange of words took place between them. Learned counsel further submits that the friend of the informant namely Abhishek Kumar Singh had also lodged a case against the petitioner, alleging demand of Rs. 50,000/-, vide Bhagwan Bazar PS Case No. 173 of 2024 under Sections 307, 120(B) of the Indian Penal Code. He next submits that both parties are next door neighbour and the injury caused to the informant is simple in nature and doctor opined that injuries no. 2 and 4 have been caused by hard and blunt substance due to road accident. Learned counsel also submits that petitioner is a student and is preparing for competitive examination at Career Planner, Boring Road, Patna.



5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner is having criminal antecedent, for which Bhagwan Bazar PS Case No. 173 of 2024 was lodged under Section 307 and 120(B) of the Indian Penal Code. Learned counsel further submits that the allegation in the F.I.R. is that the petitioner tried to snatch golden chain, diamond ring, mobile phone and money etc. and in the process, gave knife blow to the informant, due to which, he sustained injuries by sharp cutting weapon.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are close door neighbours, there appears to be previous dispute between them and the petitioner is a student, I am inclined to grant the privilege of anticipatory bail to the petitioner, subject to the condition that he shall not repeat the offence in the future.

7. This application is, accordingly, allowed.

8. 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 A.C.J.M. 1st, Chapra in connection with
Bhagwan Bazar 429 of 2024, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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