

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78787 of 2023

Arising Out of PS. Case No.-550 Year-2023 Thana- NAUBATPUR District- Patna

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Mritunjay Kumar @ Gorakh Son Of Babu Chauhan R/O Vill - Chara, P.S. -
Naubatpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-01-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Naubatpur P.S. Case No. 550 of 2023 dated
31.07.2023 registered for the offences punishable under
Sections 147, 149, 447, 323, 324, 307, 504 and 506 of the
Indian Penal Code.

4. As per the prosecution case, On 31.07.2023 the
informant was constructing wall of his house. In the meantime,
the petitioner and the co-accused persons holding deadly



weapons entered the house of the informant and started assaulting him. Further, the co-accused assaulted the informant with *farsa* on his head causing head injury and the co-accused also assaulted the informant's younger brother with *farsa* causing injury. Thereafter, the petitioner Mritunjay Kumar inflicted blow of iron rod on the head of informant's wife causing injury. Later, all the injured were taken to hospital for treatment.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. Learned counsel has further submitted that the injuries are simple in nature. It is further submitted that there is no repetition of inflicting iron blow against the petitioner. The other co-accused person has already been granted bail by this Court *vide* order dated 03.01.2024 passed in Cr. Misc. No. 77064 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the injuries being simple in nature, let the above named petitioner, in the event of his arrest/surrender



within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Danapur, Patna in connection with Naubatpur P.S. Case No. 550 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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