

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84005 of 2023

Arising Out of PS. Case No.-482 Year-2022 Thana- BIRAUL District- Darbhanga

CHANDRA KISHORE JHA@SANJAY JHA S/O RADHE JHA
RESIDENCE OF VILL/MOHALA- ITWA SHIVNAGAR, P.S.- BIRAUL,
DISTT.- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 16-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 354B, 379, 506, 325 and 34 of the IPC.

3. The Investigating Officer of the case in compliance
of the order dated 02.04.2024 was present in the Court on
15.04.2024, thereafter on 15.04.2024 again the Investigating
Officer was directed to remain physically present today as the
injury report till date has not been received.

4. Today when the case is taken up, the Investigating
Officer of the case who is present in the Court submits that the
C.T. Scan Plate has been taken by the informant along with
himself and has not returned to the hospital, as such the injury



report today also could not be brought before this Court.

5. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case with an allegation that he assaulted the injured by farsa causing injury on head. It is further submitted no doubt in the FIR it is alleged that the blow was repeated but then the injury report is not on record and as submitted by the Investigating Officer of the case that the informant has taken the C.T. Scan Plate as informed by the hospital authorities, that in itself demonstrates that informant never received any grievous injury.

6. The learned APP opposes the anticipatory bail application.

7. In view of the submissions made by the learned counsel for the petitioner and the fact that the informant has taken away the C.T. Scan Plate from the hospital, as such the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Biraul, Darbhanga in connection with Biraul P.S. Case No.482 of 2022,



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

8. The application stands allowed.

9. The personal appearance of the Investigating
Officer of the case is dispensed with.

(Satyavrat Verma, J)

Prakash Narayan

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