

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86594 of 2023

Arising Out of PS. Case No.-447 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Munna Barnawal @ Munna Prasad S/O Ramaji Barnawal, resident of Village-Sirisiya Mauze, Ps. Kuchaikote, Dist. Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Kuchaikote P.S. Case No. 447 of 2023 dated 01.09.2023 instituted for the offence punishable under Sections 341, 323, 326, 338, 504/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 28.08.2023 at about 7 pm, the petitioner along with other accused persons were abusing the informant and his family members. On protest made by the informant, one accused, namely, Neetu Barnwal assaulted twice on the head of the informant by iron rod, which caused injury on his head. It is alleged that the petitioner and Neetu Barnwal threw the wife of the informant on the ground by dragging her hair and thereafter,



Neetu Barnwal assaulted her and injured eye by brick, which caused grievous injury. Other co-accused, namely, Anita Barnwal assaulted his son which caused injury on his head. It is also alleged that the gold chain of his wife was snatched in this incident.

4. Learned counsel for the petitioners submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation of assault against the petitioner, rather the allegation of assault is against the Neetu Barnwal, who bludgeoned the head of the informant and his family members. Learned counsel for the petitioner submits that the petitioner and the informant are the co-villagers and there are petty disputes between them. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kuchaikote P.S. Case No. 447 of 2023 he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
Additional Chief Judicial Magistrate, I, Gopalganj subject to
condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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