

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83583 of 2024

Arising Out of PS. Case No.-364 Year-2024 Thana- BAKHARI District- Begusarai

Baidnath Tanti @ Bhochan @ Baijnath Tanti Son of Jay Narayan Tanti
Resident of Village - Simri, P.S. - Bakhari, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 217-12-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Bakhari Police Station Case No. 364 of 2024, dated 21.09.2024, disclosing offences punishable under Sections 126/115(2)/118(2)/109(1)/303(2)/308(5)/3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, as per the First Information Report, is that in the morning of 20.09.2024, while the informant was going towards his shop/depot, he was accosted by the petitioner and other accused persons, who demanded extortion/rangdari of Rs. 2,00,000/- and upon refusal, the petitioner assaulted the informant by means of dabia on his head and snatched one golden chain from the neck of



the informant.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to the fact that the informant is selling stone chips/iron bar/sand after keeping the stock on the rod and upon objection being made by the petitioner and others, a scuffle took place and the present First Information Report has been lodged by the informant. The injury caused to the informant is simple in nature, as would be evident from the impugned order itself.
5. On the other hand, learned Additional Public Prosecutor opposes the prayer for anticipatory bail and submits that the petitioner has assaulted the informant on the vital part of the body, i.e. frontal region of the head and does not deserve privilege of anticipatory bail.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that the injury caused to the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest



or surrender before the Court below within a period of four weeks from today, 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 Chief Judicial Magistrate, Begusarai, in connection with Bakhari Police Station Case No. 364 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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