

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82257 of 2023**

Arising Out of PS. Case No.-697 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Akash Kumar Son Of Vijay Kumar R/O Village- Dhekaha, Purana Tola,
Jhitkahiya, P.S.- Muffasil, District- East Champaran, Motihari- 845401

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mrs.Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-01-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 324, 354(A), 307, 379, 504/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. Allegation against this petitioner is that he assaulted the informant by means of Farsa, due to which, she sustained injury on her head.

4. It is submitted on behalf of petitioner that admittedly, there is land dispute between the parties and both parties are *pattidars* and only due to petty dispute, a scuffle took place, in which, some persons sustained injury. All the sections are bailable, except Section 307 of I.P.C. and Section 8 of POCSO Act, which are not attracted to this petitioner and the allegation made under Section 379 of I.P.C. is a super addition.



The injury report does not substantiate the prosecution case.
Petitioner has got clean antecedent.

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

6. Considering the aforesaid facts and circumstances,
in the event of arrest/surrender within a period of six weeks
from today, let the above named petitioner be enlarged 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 6th
Additional Sessions Judge-cum-Special Judge, POCSO Act,
East Champaran, Motihari in connection with Mufassil P.S.
Case No. 697 of 2023, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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