

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83307 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- PHENHARA District- East Champaran

Santosh Kumar @ Chuman @ Santosh Sah, Son of Late Shambu Sah
Resident of Village - Parsurampur, P.S. - Phenhara, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Phenhara P.S. Case No. 74 of 2024, instituted under Sections 147, 341, 323, 342, 447, 504, 506, 307 of the Indian Penal Code.

3. As per the prosecution case, accused persons including the petitioner holding weapons in their hands came at the house of the informant and assaulted him. Allegation against the petitioner is that he assaulted Subhash Kumar by means of iron rod causing head injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to land dispute. There is case and counter case between



the parties. Injury on the injured is simple in nature. Both parties are neighbours. Petitioner has no criminal antecedent. Petitioner undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Phenhara P.S. Case No. 74 of 2024, subject to the conditions laid down in Section 482 (2) of the Bhartiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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