

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1267 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- HASPURA District- Aurangabad

Vivek Kumar, Son Of Surendra Singh @ Surendra Kumar Singh Resident Of
Village- Bangali Bigha, Ps- Huspura, Po- Sonhathu, Distt- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 15-04-2024 1. Heard learned counsel for the petitioner and
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, 324, 325, 504, 506, 379, 308 and 34 of the
Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that on 15.07.2023, the accused persons
including the petitioner came and assaulted the side of the
informant and the petitioner assaulted the brother of the
informant with *khanti* causing injury on head.

4. The learned counsel for the petitioner submits that
though there is allegation of assaulting the brother of the



informant with *khanti* on head causing injury, but then, an altercation had taken place in between the side of the petitioner and the informant with respect to passage. It is further submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the blow was not repeated. It is also submitted that in the heat of moment, it appears that the occurrence took place, but then, petitioner is a young boy aged about 22 years and in the event, if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminal, which may further restrict his future prospect, when admittedly petitioner is a person with clean antecedent. It is also submitted that neither the order impugned nor in the case diary, the nature of injury is mentioned, nor the injury report till date has been received in the case in compliance of the order dated 07.03.2024.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner and the fact that the blow was not repeated and petitioner is a young boy aged about 22 years and is a person with clean antecedent, 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 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 Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Haspura P. S. Case No.208 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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