

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85582 of 2024

Arising Out of PS. Case No.-391 Year-2024 Thana- SAHAYAK NAGAR District- Katihar

Suraj Kumar @ Suraj Das Son of Late Raj Kumar Das Resident of Village-
Teja Tola Ward No.- 04, PS- Sahayak, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Nagar Sahayak P.S. Case no. 391 of 2024 instituted for the offence under Sections 341, 323, 379, 307, 504, 506 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner along with others being armed with *shocker pipe, lathi, knife*, arrived and started abusing the informant. Specific allegation is against Suraj Kumar that he assaulted with *Shocker Pipe* on the head of the informant due to which he received head injury.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has falsely been implicated in this case. It is also submitted that the occurrence took place on 2nd June, 2024 whereas FIR has been lodged on 16th June, 2024 that is delay 14 days in lodging the FIR which is not explained. From perusal of the order of the trial court, it is clear that the informant has received simple injury. It is further submitted that the real fact is that the informant was in influence of intoxication and he fell down that is why he has received injury and that there is dispute of partition between the parties. Petitioner is having no criminal antecedent.

5. In contra, learned APP appearing for the State and learned counsel for the informant have opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Nagar Sahayak P.S. Case No. 391 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Katihar subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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