

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4891 of 2024

Arising Out of PS. Case No.-81 Year-2023 Thana- BASANHI District- Saharsa

Mithun Kumar SON OF Dilchandra Mistri Resident Of Mahua Bajar Ward
No. 12, PS- Basnahi And Distt- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-02-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Basnahi P.S. Case No.81/2023 registered for the offence
punishable under Sections 447, 323, 324, 307, 506 and 34 of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the present case. It is next submitted that the
informant, who is not an eyewitness to the occurrence alleges that
the accused persons along with petitioner came to his house and
petitioner assaulted the brother of the informant with an iron rod
on head causing injury. The learned counsel next submits that no
doubt allegation is of assaulting the brother of the informant with
an iron rod on head causing injury but then the doctor has not
opined about the nature of the injury. It is also submitted that



petitioner will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Saharsa in connection with Basnahi P.S. Case No.81/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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