

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47498 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- KONCH District- Gaya

Kamlesh Kumar @ Kamlesh Pal Son Of Late Sitaram Bhagat @ Late Sitara
Bhagat Village- Ekariya, P.S.- Konch Distt,- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manti Devi W/O- Jainandan Pal R/O- Village- Ekariya, P.S.- Konch,
District- Gaya
3. Sugandha Kumari D/O- Jainandan Pal R/O- Village- Ekariya, P.S.- Konch,
District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

7 06-02-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Konch P.S. Case No. 57 of 2024 for the offence
under Sections 341, 323, 307, 354 and 34 of the I.P.C.

3. As per the F.I.R., there is specific allegation against
the petitioner that he assaulted the informant Manti Devi by
means of *lathi* on her head due to which she sustained injury
and he (petitioner) also assaulted the husband of malti Devi due
to which he sustained hurt on his hand.

4. Learned counsel for the petitioner submits that the
petitioner is quite innocent and has falsely been implicated in



this case due to village politics and inimical relation between them. There is no occurrence as alleged in the manner has ever been taken place and false and concocted story has been made in order to falsely implicate other members of the family. It is further submitted that the other co-accused persons namely Vikram Pal and Suryakant Kumar Bhagat have been allowed Anticipatory bail by learned Additional Sessions Judge XI, Gaya passed in A.B.P No. 937 of 2024 vide order dated 07.05.2024. Learned counsel further submits that the informant Manti Devi sustained minor injury which is just bruise which was examined by doctor at N.M.C.H., Gaya who found the injury simple in nature caused by hard and blunt object.

5. Learned APP and learned counsel appearing on behalf of the informant oppose the prayer for bail.

6. Both the parties are neighbour and from para 6, 7 and 8 of the case diary, it appears that there is dispute between the parties regarding some other matter and allegation of molestation of sugandha kumari (daughter of the informant) is said to have been false by the witnesses. The said allegation is levelled against the petitioner is in order to make the case graver. The injury report mentioned in para 16 and 24 of the case diary suggests that injured has sustained simple injuries.



Keeping in view the aforesaid facts, this Court is inclined to extend the petitioner on the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-First Class, Gaya, in connection with Konch P.S. Case No. 57 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.,

(S. B. Pd. Singh, J)

Ankit Kumar/-

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