

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67086 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- Dhobaha District- Bhojpur

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Durga Shukla @ Durga Shankar Shukla, Son of Radhe Shayam Shukla
Resident of Village - Shakulpura, P.S.- Ara Muffasil, O.P.- Dhobha, District -
Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-10-2025 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 121(2), 122, 126(2), 115(2), 74, 303(2), 352, 351(2) of
the B.N.S.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that her grandson Raushan had gone to play in
the field where he was assaulted by Appu and Pritam, but her
grandson came back home. Further, on the same day named
accused including the petitioner came at her grocery shop and
Sanjay assaulted Shiv Bhajan by rod causing injury on forehead.



Thereafter, Durga Shukla (petitioner) assaulted Ram Raj by rod causing injury on head, thereafter Amar assaulted Aarti by lathi and Sohan assaulted informant by lathi causing injury on finger. Further, Kamal took Rs.25,000/- from the shop while other accused took the box containing Rs.50,000/- and Chandi along with Satyam took the ornaments.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute in between the children, the occurrence is alleged to have taken place. It is next submitted that it does not appear probable that the accused persons including the petitioner on account of dispute amongst the children would have come to the grocery shop of the informant for committing the occurrence. It is next submitted that no doubt, petitioner is alleged to have assaulted Ram Raj by rod causing injury on head and the order impugned records that opinion with regard to the injury is reserved, but then, a specific pleading has been made at Para-9 of the instant anticipatory bail application that all injuries are simple in nature as per injury report of the doctor.

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



application and submits that though specific pleading has been made that injury suffered by the injured is simple in nature, but then, the same is not substantiated by any documentary evidence, on which the learned counsel appearing on behalf of the petitioner submits that the said submission has been made on affidavit.

6. 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, is directed to be released on **provisional anticipatory 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 SDJM, Bhojpur at Ara in connection with Dhobha P. S. Case No.62 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioner shall verify the injury report of the injured Ram Raj and in the event, if it is found that if he suffered any grievous injury on head or on any part of the body, in that event, the instant provisional



anticipatory bail order shall not be confirmed, but if on verification, it is found that the injury suffered by the injured is simple in nature, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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