

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70843 of 2024

Arising Out of PS. Case No.-560 Year-2023 Thana- ROSERA District- Samastipur

Saurav Kumar @ Saurabh Kumar Son of Amarjeet Sah R/O-Village -
Mahuli , Police Station - Rosera , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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

ORAL ORDER

4 22-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Rosera P.S. Case No. 560 of 2023 for the offence under Sections 341, 323, 324, 307, 325, 504, 506 and 34 of the I.P.C.

3. As per the prosecution story, the informant has alleged that on 29.10.2023, all the F.I.R. named accused persons along with the present petitioner caught him in front of his house. One co-accused namely, Amarjeet Sah abused the informant and assaulted him on his head by means of axe, which caused head injury. There is allegation on the present petitioner that he assaulted the informant by means of iron rod which caused injury on his left hand.



4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence rather he has falsely been implicated in this case. As a matter of fact, informant is the own uncle of the petitioner and merely due to enmity the petitioner has been implicated in the present case. The father of the petitioner has given Rs. 3,59,000/- to the informant as consideration amount for executing sale deed for a piece of land but later on the informant changed his mind and neither he has executed the sale deed nor returned the aforesaid amount. Since the informant is not willing to return the money he threatened the father of the petitioner and lodged this false and fabricated case intentionally against the whole family members. Apart from assaulting the informant on his left hand by means of iron rod, nothing specific alleged against the petitioner in the F.I.R.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioner submits that as per F.I.R., there is specific allegation against the petitioner to make assault on the hand of the informant. However, as per F.I.R., petitioner has made an attempt of assault on his head but informant narrowly escaped himself and got injury on his left hand. Injury report also



support the injury of his forearm. There is no allegation apart from that of assaulting any vital part of the body. Keeping in view the aforesaid facts, this Court is inclined to extend him 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 Additional Chief Judicial Magistrate, - I, Rosera, Samastipur, in connection with Rosera P.S. Case No. 560 of 2023 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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