

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74729 of 2024

Arising Out of PS. Case No.-240 Year-2024 Thana- TEKARI District- Gaya

Amitabh Kumar son of Late Ram Prasad Vishwakarma village- Rikabganj
(Bada), Ps- Tekari, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-01-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Tekari P.S. Case No. 240 of 2024 lodged on 03.06.2024,
for the offences punishable under Sections 341, 323, 307, 379,
354(B), 504, 506, 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
three named accused persons including the present petitioner
against whom there is an allegation that they have assaulted the
informant and her husband with sticks (*lathi & danda*) and a
plastic water pump and snatched informant's earring and also
broke a 1000 litres tank due to the reason that informant's
daughter made the bathroom dirty.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that from bare reading of the FIR, it become crystal



clear that cause of dispute is that the informant's daughter made the bathroom dirty. Counsel submits that informant and accused persons are agnates and due to petty matter, they have scuffled and subsequently, informant and her husband sustained injury. Counsel further submits that criminal antecedent of the petitioner is clean. Counsel submits that after investigation, police has not found case under section 307 of the IPC.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner of assault.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-VI, Gaya, in connection with Tekari P.S. Case No. 240 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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