

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82120 of 2024

Arising Out of PS. Case No.-207 Year-2022 Thana- KATIHAR NAGAR District- Katihar

Monu Gupta @ Piyush Kumar S/o- Sanjeev Kumar R/o- PNT Chowk Ps-
Sahayak Dist-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 14-05-2025 1. Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner apprehends his arrest in connection with
Katihar Nagar (S) P.S. Case no. 207 of 2022 registered under
sections 341, 323, 324, 307, 354(A), 379, 504 and 34 of Indian
Penal Code.

3. The prosecution case as disclosed in the First
Information Report is that the petitioner used to make some
objectionable comments about the sister of the informant and on
09.04.2022, when the informant was trying to explain things to
the petitioner to his house, the petitioner indulged in abuses and
the further allegation is that while the father and mother of the
petitioner caught hold of the informant and ordered him to
assault, the petitioner assaulted the informant by means of a
sharp cutting scissor ten to twelve times, owing to which the



informant became injured.

4. Learned counsel for the petitioner submits at the outset that for an occurrence which took place on 09.04.2022 the First Information Report was registered on 14.04.2022 and the same was lodged after due thought and deliberation. It is further submitted that the allegation itself seems not believable as it has been stated that he had been instructed by his father and mother to assault and his father and mother had also held the informant. It further seems that both the informant and the petitioner are young boys of 18 and 19 years of age and they have got into some scuffle or dispute with each other owing to which the petitioner has been implicated in the present case. The learned counsel for the petitioner also points out to the injury report of the informant which is part of the case diary and a perusal of the same would go to show that as against indiscriminate allegations of assault by means of scissor, the informant has received three injuries and the injuries though have been caused by sharp object are simple in nature. It has further been pointed out that the petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State as also learned counsel for the opposite party no. 2.



6. In view of the facts and circumstances and taking into consideration the tender age of the petitioner having no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Katihar Nagar (S) P.S. Case no. 207 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Katihar, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further conditions that:

(i) The petitioner shall co-operate in the investigation/trial.

(ii) However, one of the bailors would be a family member or a close relative.

(Soni Shrivastava, J)

Raj Ranjan
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