

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82206 of 2024

Arising Out of PS. Case No.-173 Year-2024 Thana- DEEPNAGAR District- Nalanda

Chandan Kumar S/o Chhote Prasad Resident of Village- Lal Bag, P.S.- Deep Nagar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Deep Nagar P.S. Case No. 173 of 2024, registered for the alleged offence under Sections 341, 323, 307, 504/34 of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons assaulted the informant and his father, causing injuries to them.

04. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. There is case and counter version as Deep Nagar P.S. Case No. 175 of 2024 has been lodged by the sister of the petitioner against the informant and others under Sections 341, 323, 379,



504, 506/34 of IPC. Learned counsel further submits that the injuries of the informant and his father are simple and superficial except for one injury received by informant on his left forearm of size 2 cm x 1 cm x 1 cm, which is stated be grievous but it is not on any vital part. Learned counsel further submits that there is land dispute between the parties and a *panchayati* has taken place in the year 2017 but the informant's side has not accepted the said *panchayati*. Learned counsel further submits that the petitioner is having antecedent of three cases and in all the cases, the petitioner has been falsely implicated under the conspiracy of the informant of the present case due to land dispute.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail. Learned APP submits that injury report of the informant shows lacerated wound over mid brain and occipital region and dimensions of which are 2cm x 1 cm x ½ cm and 3 cm x 2cm x ½ cm, respectively. Learned APP further submits that one of the injuries of the informant has been found to be grievous which is fracture of proximal part of ulna.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the simple and superficial nature of injuries in the background of



land dispute and also considering the counter version of the petitioner's side, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Deep Nagar P.S. Case No. 173 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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