

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85720 of 2024

Arising Out of PS. Case No.-305 Year-2024 Thana- TRIVENIGANJ District- Supaul

Aanand Kumar @ Toto @ Anant Singh Son of Vijendra Singh @ Vijendra
Bahadur Singh @ Gori Singh Resident of Village- Bajitpur, Police Station-
Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the State : Mr. Dinesh Singh, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 329(3), 118(1), 109(1), 351(2), 3(5) of B.N.S.

3. The allegation against the petitioner is that while the informant's husband was talking over phone, he was, all of a sudden, assaulted by means of sharp cutting weapon owing to which the husband of the informant fell unconscious. It is further alleged that when the husband of the informant gained consciousness, he stated the name of the present petitioner as the one who assaulted him on his head and there were 3-4 persons alongwith him whom he could not identify. The reason for the



assault has been given in the FIR itself as being a dispute between the parties with regard to some village politics.

4. Learned counsel for the petitioner submits that the allegations levelled against the petitioner are not correct and neither the informant nor her family members or neighbours are eye-witnesses to the alleged occurrence. The written report has been filed upon her husband gaining consciousness and it is not clear as to why the victim himself did not lodge the FIR. It is further submitted that there is an old dispute between the parties and owing to the same, the petitioner has been made an accused in the present case. The attention of this Court has also been drawn towards the injury report of the informant's husband which shows that the nature of injury is simple and has been caused by hard and blunt substance. On strength of such injury report, learned counsel for the petitioner makes a submission that the case of the prosecution of assault by sharp cutting weapon appears to be false.

5. Learned APP for the State opposes the prayer for anticipatory bail on the ground that the petitioner has criminal antecedent. However, in response to the same, it is submitted by learned counsel for the petitioner that the petitioner is on bail in the said case.



6. Considering all the above mentioned facts and circumstances and particularly the nature of the injury sustained by the injured, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Supaul in connection with Triveniganj P.S. Case No. 305 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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