

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.515 of 2025

Arising Out of PS. Case No.-269 Year-2023 Thana- MUFFASIL District- Aurangabad

Kundan Singh @ Kundan Kumar Singh Son of Late Vijay Singh Resident of
Village - Basdiha, P.S. - Aurangabad Mufasil, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Aurangabad Mufasil Police Station Case No. 269
of 2023, disclosing offences under Sections 341, 323, 308, 379,
504, 506 of the Indian Penal Code.

3. As per the FIR, the allegation against the petitioner
is that on 23.06.2023, the petitioner along with others
committed theft in the house of the informant and when the
petitioner's wife was caught, the petitioner came back with iron
rod assaulted the informant by iron rod due to which she
sustained injury on her head, subsequently, both petitioner and
his wife fled away.

4. Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case due to quarrel between the children. Both are co-villagers and neighbors and a counter case has been lodged by the side of the petitioner bearing Mufasil P.S. Case No. 270 of 2023. The police after investigation found the case against the petitioner as untrue and submitted final form not sending him for trial, however, the learned Magistrate has differed with the police report and has taken cognizance against the petitioner under Section 308, 379 and others Sections of the Indian Penal Code. The petitioner is having no criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that both the parties are co-villagers, case and counter case is there and the police after investigation submitted final form not sending the petitioner for trial, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. 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 Chief Judicial Magistrate, Aurangabad



(Bihar), in connection with Aurangabad Mufasil Police Station
Case No. 269 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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