

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28106 of 2021

Arising Out of PS. Case No.-330 Year-2020 Thana- BANIAPUR District- Saran

RAJU SRIVASTAVA S/o Surendra Srivastava @ Surendra Prasad Srivastava
R/o village- Kanhauli Manohar Tole Karta Ram, Baniyapur, District- Chapra
(Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Adv

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-06-2021 Heard learned counsel for the parties.

Petitioner apprehend his arrest in a case registered for the offence punishable under Sections 341, 342, 324, 307, 504/34 of the Indian Penal Code.

Informant in his written complaint has alleged that as he reached near the temple of his mohalla for prayer where petitioner in a drunken condition came and started abusing him and when he protested then petitioner stabbed him in his abdomen and while his mother was taking him to hospital in the meantime Shivam Shrivastava and Subodh Shrivastav came and forcibly took them to their house and captivated them in a room and when his mother made a call to his father thereafter police

came and took him to PMCH where he is being treated.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case due to village politics. It has been further submitted that incident is of 19.10.2020 and FIR was instituted on 24.10.2020. From perusal of injury report (Annexure-2), it appears that the Doctor has found the injuries to be simple in nature. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Baniyapur PS Case No. 330 of 2020**, subject to the conditions laid down under Section 438(2) of the Cr.P.C with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the

court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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