

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6400 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- NAUTAN District- Siwan

NAGENDRA PRASAD, S/o Late Ramajee Prasad, R/o village and P.S.-
Nautan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bijay Prakash Singh, Adv.
For the Opposite Party/s	:	Mr.Aditya Narayan Singh, APP
For the Informant	:	Mr. Devanand Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 22-12-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Aditya Narayan Singh, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Nautan P.S. Case No.68 of 2020 registered for the offences punishable under Sections 147, 148, 149, 385, 307, 504, 324 and 323 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that, as per the First Information Report, the allegation against this



petitioner is that he had assaulted one Pradip Yadav (uncle of the informant) by lathi.

Learned counsel for the petitioner submits that both the parties have entered into a free fight over a land dispute and there is a case and counter case between the parties. Learned counsel submits that the allegation against this petitioner is that he had given a lathi blow to one Pradip Yadav but the injury is showing on a non-vital part of the body.

Learned APP for the State and learned counsel for the informant have opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the materials placed before this Court showing that both the parties have entered into a free fight over a land dispute, there is a case and counter case and the allegation against this petitioner is that he had given a lathi blow to one Pradip Yadav, the injury is showing on a non-vital part of the body and this Court has granted privilege of anticipatory bail to co-accused Bittu Prasad and further the learned coordinate Bench has granted privilege of anticipatory bail to co-accused Anis Prasad and Jitendra Prasad, this Court directs that the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with



Nautan P.S. Case No.68 of 2020 be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Siwan, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

