

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8193 of 2021

Arising Out of PS. Case No.-189 Year-2020 Thana- HARNAUT District- Nalanda

1. Devanand Singh Son Of Raghunandan Singh Resident Of Village - Sherpur,
P.S. - Harnaut, District - Nalanda
2. Pankaj Kumar @ Pratik Raj Son Of Devanand Singh Resident Of Village -
Sherpur, P.S. - Harnaut, District - Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amitabh Sohan, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 13-12-2021 Learned counsel for the petitioners undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Harnaut P.S. Case No. 189 of 2020 registered for the offences punishable under Sections 341, 323, 325, 307, 385, 379, 506, 34 of the Indian Penal Code. The petitioners have no criminal antecedent.

As per the prosecution story, the accused persons along with these petitioners had demanded rangdari from the informant but he did not pay the same for which the accused persons brutally assaulted his brother giving grievous injury



with sharp edged weapon on the head of his brother. It is further alleged that the accused persons also snatched gold chain from the person of brother of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that there are general and omnibus kind of allegations against the petitioners. It is also submitted that there is no injury report of the brother of the informant. The petitioners have no criminal antecedent.

Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioners.

Having regard to the materials placed before this Court that the allegation against the petitioners in this case are general and that the brother of the informant was never referred to the P.M.C.H., the petitioners' side had lodged a case prior in time to the present case against the prosecution party, the learned Additional Sessions Judge 6th while rejecting the prayer for anticipatory bail of these petitioners has recorded that no injury report of Rajiv Kumar is available on the record as the I.O. did not send it and further that the injury report of Munna Kumar shows that the injuries are simple in nature caused by hard and blunt substance, in the nature of the allegations and



that the petitioners are not having criminal antecedent, this Court directs that the petitioners above named in the event of their arrest or surrender within four weeks from today be released on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand/-) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda at Biharsharif in connection with Harnaut P.S. Case No. 189 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

The application stands allowed.

(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'.

