

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31581 of 2021

Arising Out of PS. Case No.-282 Year-2018 Thana- BAGHA District- West Champaran

Bablu Khan Son of Azad Khan Resident of Village - NarayanPur, Police
Station - Bagaha (patkhauri O.P), District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 341, 323,
324, 354, 379, 504/34 of the Indian Penal Code.

According to prosecution case, on the basis of written
statement of informant, Sajda Khatoon, is that on 14.06.2018
petitioners and co-accused came at her door and started abusing
due to dispute regarding cattle Phatak. The accused Azad Khan
gave farsa blow on her nose and another accused persons and
petitioner assaulted her with Lathi due to which blood started
oozing from her nose and mouth. Ekhlakh Khan partly



undressed her and Bablu Khan snatched silver sikari from her neck.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that the allegation of assault against the other accused persons and there is no allegation of overt-act against the petitioner. He further submits that there is admitted criminal case is pending between the parties.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bagaha Patkhauri P.S. Case No. 282 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

3. 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.

(Rajesh Kumar Verma, J)

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