

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45955 of 2022

Arising Out of PS. Case No.-167 Year-2020 Thana- MARANCHI District- Patna

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DHANANJAY SON OF BHOLA SAO @ BHOLA PRASAD VERMA R/O
VILLAGE- MARANCHI, P.S.- MARANCHI, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar, Adv.

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offence under Sections 341, 323, 324, 447, 504, 506, 308 and 34 of the Indian Penal Code.

The petitioner is said to have abused and assaulted the informant on account of a land dispute by means of iron rod due to which he sustained injury.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. He further submits that it appears from the F.I.R. that the allegation of assault is attributed to the co-accused, Ranjan



Kumar who allegedly gave an iron blow on the head of the informant. He further submits that there is no specific allegation of assault or any overt act committed by the petitioner but merely on the ground that the petitioner happens to be brother of the co-accused, Ranjan Kumar, he has been made accused in this case. He further submits that both the parties are agnates and there is admitted land dispute between them. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of arrest of surrender before the court below within a period of four weeks from the date of order 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 Court below where the case is pending in connection with Maranchi P.S. Case No. 167 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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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