

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13888 of 2023

Arising Out of PS. Case No.-49 Year-2022 Thana- TANKUPPA District- Gaya

Karu Kumar @ Ranjit Kumar, S/O Uday Singh, R/v- Mahiyarpur, P.S.-
Tankupa, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mithlesh Prasad Singh, Advocate
For the Opposite Party/s :	Md. Aslam Ansari, APP
	Mr. Manish Kumar No.2, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and the

learned APP for the State as well as learned counsel for

informant.

The petitioner is apprehending his arrest in connection
with Tankuppa P.S. Case No. 49 of 2022 registered for the
offence punishable under Sections 147, 148, 149, 341, 323, 325,
307, 379, 427, 452, 504 and 506 of the Indian Penal Code and
Section 27 of Arms Act.

The work of road and drain construction was being
discharge by accused persons. On objection being raised by
informant's parties that work cannot be carried on their lands,
they have been assaulted by the accused persons.

The learned counsel for the petitioner submits that



village road construction was being done by some family members of the petitioner, wherein petitioner's name has been dragged without any basis. He is a meritorious student pursuing his study at BHU, Varanasi. Even if the injuries attributed to the petitioner perpetrated on mother of the informant are to be seen, then as per the report, the same are simple in nature. The petitioner also has no criminal antecedent.

Learned APP for the State and learned counsel for informant, on the other hand, have opposed the prayer for pre-arrest bail. Learned counsel for the informant submits that specific assault is attributed to the petitioner also and the same stands corroborated by the injury report.

Considering the rival submissions, the clean antecedent of the petitioner, the manner of alleged occurrence arising out execution of some village development work, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 the learned



Judicial Magistrate, Gaya, in connection with Tankuppa P.S. Case No. 49 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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