

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14475 of 2023

Arising Out of PS. Case No.-590 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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ARUN KUMAR S/o Vishwanath Das R/o village- Patpariya, P.S.- Motihari
Muffasil, Distt- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Motihari Muffasil P.S. Case No. 590/2022 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 447 and 34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 14.08.2022 when her nephew namely, Jitendra Das was going for work then the accused persons including this petitioner surrounded him near his door and assaulted him with lathi and co-accused Arun Kumar assaulted him with sword.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. Learned counsel submits that the injury report of Jitendra Das shows only one injury i.e. one bruise over the left wrist which was caused by hard and blunt substance.

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

Having regard to the facts and circumstances of the case wherein it is alleged that this petitioner had assaulted one Jitendra Das by a sword but the injury report as contained in Annexure '2' to the application is showing only a bruise over the left wrist said to have been caused by hard and blunt substance, the same is not supporting the allegation, however petitioner has otherwise no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Motihari Muffasil P.S. Case No. 590/2022, 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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