

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17316 of 2023**

Arising Out of PS. Case No.-236 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

MUNNA KUMAR SON OF PRABHUNARAYAN SINGH R/O VILLAGE-
RAHATPUR, P.S.- BALIA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and the

learned APP for the State

The petitioner apprehends his arrest in connection with Muffasil (Lakho) P.S. Case No.236 of 2022 instituted under Sections 341, 323, 304, 307, 506 of the IPC and 27 of the Arms Act lodged on 11.05.2022 by the informant Brajesh Kumar Singh.

As per the prosecution story, the informant gave a written application before the SHO on 11.5.2022 alleging that at 07:00 AM, Bipul Kumar Singh who was at his door with his guard and other accused persons snatched the key of tractor and one Aman Kumar assaulted him and also resorted to air firing. One Aman Kumar hit on his head by butt of pistol causing injury others also resorted to beating. Accordingly, the FIR.



It has been submitted by the learned counsel for the petitioner that initially his name was not in the FIR but has come in the supervision note prompting him to take recourse to anticipatory bail.

Further the submission is that without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP on the other hand opposes the prayer for anticipatory bail stating that there are injuries on the side of the informant.

However, from the order sheet of the learned Sessions Judge, it is not clear whether the injury was grievous in nature. The name of the petitioner has come in the supervision note and FIR lodged ultimately he will face the trial, this Court is inclined to grant him privilege of anticipatory bail, subject to payment of the amount as undertaken by him.

Let the petitioner be released on bail, in the event of



his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Muffasil (Lakho) P.S. Case No.236 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
Sunil

U		T	
---	--	---	--

