

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18282 of 2023

Arising Out of PS. Case No.-392 Year-2022 Thana- BARAULI District- Gopalganj

Krishna Patel @ Krishna Kumar, Son of Late Harendra Prasad, R/O Village-
Barauli, Ward No.10, P.S.- Barauli, District- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-06-2023 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 Barauli P.S. Case No. 392 of 2022 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code. He has no criminal antecedent.

As per the prosecution story, on 25.10.2022 at 09:30 P.M. when the informant was going to purchase medicines, this petitioner and other accused persons armed with deadly weapons surrounded him and this petitioner assaulted him by iron rod on his head and one Shubham Singh assaulted by farsa on his head which caused bleeding. It is alleged that other accused persons assaulted the informant by danda.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the injury report shows only one injury and the specific allegation of causing cut and bleeding injury is against co-accused Shubham Singh.

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

Having regard to the facts and circumstances of the case, the specific allegation in the FIR is that it was co-accused Shubham Singh who has assaulted by farsa on the head of the informant causing cut injury and bleeding from his head, the allegation against the petitioner is that he had assaulted by iron rod on his head, however, the injury report as per Annexure '2' is showing only one injury on the head and the other two injuries are bruises on the backside and right hand, in the nature of the dispute and the allegation against the petitioner not being specifically supported by the injury report, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Barauli P.S. Case No. 392 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj,



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 petitioners. 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

