

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17465 of 2023

Arising Out of PS. Case No.-245 Year-2022 Thana- BALIYA District- Begusarai

BIPIN DAS SON OF SAKALDEV DAS R/O VILLAGE- SHIVNAGAR,
DIYARA, P.S.- BALIA, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard the parties.

The petitioner is apprehending arrest in connection with Balia P.S. Case No. 245 of 2022 under sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

The prosecution story, in brief, is that the petitioner armed variously came at the informant's house and abused him. On protest, the petitioner herein caught him and other accused assaulted him with 'lathi' on his head causing injury on his head and finger. Thereafter, all the accused persons assaulted with legs-fists. On 'hulla, raised by the informant, his wife and daughter came to his rescue, they were also assaulted by them.

It has been submitted by the learned counsel for the petitioner that he is order giver and do not have criminal antecedent.



Learned APP opposes the prayer.

Taking into account the aforesaid submission as also that he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

Let the petitioner be released on bail in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Balia P.S. Case No. 245 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with the following further conditions along with other conditions:

(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 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(iv) 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;

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

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/Kiran

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