

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21730 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- KURTHA District- Jehanabad

Nand Paswan Son Of Jagnarayan Paswan R/O Village- Chamandi, P.S.-
Kurtha Pondil, District- Arwal

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-06-2023 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 Kurtha P.S. Case No.- 98 of 2022 registered for the offences punishable under Sections 147, 149, 323, 341, 308, 504, 34 of the Indian Penal Code. He has got no criminal antecedent.

Learned counsel for the petitioner submits that the informant- Bipi Kumar and Arvind Kumar were going to bring bundle from his field, in that course, the petitioner along with other co-accused persons assaulted and abused them as a result of which they sustained injury on head. When the nearby people came there, then the accused persons ran away from there.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. It is submitted that the allegation against the petitioner is general and ominous, no specific overt act has been alleged against him.

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, wherein it is the submission of learned counsel for the petitioner that there was a clash between the two particular groups residing in the same and one village in which both sides have lodged case and counter case against each other, the allegation against the petitioner is general and ominous, no specific overt act has been alleged against him and he has otherwise no criminal antecedent, hence, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be released on bail in connection with Kurtha P.S. Case No.- 98 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 S.D.J.M., Arwal, 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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