

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28340 of 2023**

Arising Out of PS. Case No.-350 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

Vikash Kumar Son Of Rajkumar Yadav Resident Of Village- Madarichak, Ps-
Makhdumpur (TEHTA OP) Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Digvijay Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 07-07-2023 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 Makhdumpur P.S. Case No.350 of 2020 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal Code. The petitioner has got one criminal antecedent.

As per the prosecution story, the allegation against the petitioner is that he had assaulted the informant by iron rod on his head with an intention to kill him due to which he fell down and became unconscious and further the petitioner took out Rs.10,000/- cash from the pocket of the informant.

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



case. Learned counsel submits that though the allegation of causing assault upon the informant is against the petitioner and the co-accused, but the informant has suffered simple injury which would be evident from the injury report (Annexure- '2'). It is submitted that there is a counter case also filed by the father of the co-accused.

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 submitted that the allegation of causing assault upon the informant is against the petitioner and the co-accused, the informant has suffered simple injury which would be evident from the injury report (Annexure- '2') and there is a counter case filed by the father of the co-accused, this Court 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 bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Jehanabad in connection with Makhdumpur P.S. Case No. 350 of 2020, 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)

arvind/-

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

