

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28358 of 2023

Arising Out of PS. Case No.-425 Year-2022 Thana- BIDUPUR District- Vaishali

Uday Kumar @ Uday Paswan @ Uday Kumar Paswan, Son of Devendra Paswan, Resident of Village- Kalyanpur, P.S.- Bidupur, Distt- Vaishali
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Bidupur P.S. Case No. 425 of 2022 registered for the offence punishable under Sections 341, 324, 307, 379, 354, 504, 506 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 23.07.2022 when the informant went to graze her goat, all the FIR named accused persons armed with deadly weapons started abusing her and assaulted her. They also assaulted the informant's mother-in-law by wooden stick, kicks and fists. One Uday Paswan snatched two gold jitia, one Mangalsutra. They also threatened the informant for her life.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case.

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

6. Having regard to the facts and circumstances of the case, wherein it is submitted that even as the allegation against the petitioner is that he had given a garasa blow on the head of the informant but the injuries mentioned in the order of the learned court below show that those injuries are in the nature of lacerated wound on the left side of parietal region $\frac{1}{4}$ " only spin scratch and swelling on left parietal region $\frac{1}{2}$ " $\times$ $\frac{1}{2}$ " which are said to be simple in nature, in her re-statement the informant has alleged that the petitioner assaulted her by bricks, in such circumstance, there being variation in the statements as well, the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner shall be released on bail in connection with Bidupur P.S. Case No. 425 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 Chief Judicial Magistrate, Vaishali, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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