

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28595 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- MAHUA District- Vaishali

Sanjiv Kumar Son Of Umesh Ray Resident Of Village- Supaul Taraiya, Ps-
Mahua, Distt- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Arun Kumar, APP

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 Mahua P.S. Case No. 295 of 2022 registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code. He has one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 21.04.2022 while he was going to his house the petitioner and other co-accused started abusing him and tried to snatch money from his pocket as also assaulted him. He further alleged that the petitioner gave him an iron rod blow on his head and one co-accused Munna Kumar assaulted him on his face.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned



counsel submits that both the parties are agnates and the present case has been lodged as a counter blast of one Mahua P.S. Case No. 166/2022.

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 both the parties are having a land dispute, they are agnates and the present case has been lodged as a counter blast of one Mahua P.S. Case No. 166/2022 lodged against the informant of this case and his family, the present occurrence is said to have taken place on 21.04.2022 whereas the F.I.R. has been lodged on 02.05.2022 and that no injury has been caused on the head of the informant, this Court, therefore, 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 of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 295 of 2022, 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

