

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30801 of 2023

Arising Out of PS. Case No.-565 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

KUNDAN RAI @ KUNDAN KUMAR SON OF INDRAJEET RAI @
BALLI RAI Resident of Village-Adalpur, P.S.-Hajipur Sadar, District-
Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with one antecedent, it is further submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that on account of dispute relating to money with regard to laborers, the present FIR came to be instituted wherein it is alleged that the petitioner along with two others assaulted the informant with bamboo causing injury on his head and his wife and mother snatched the gold chain of the



informant.

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

Learned counsel for the petitioner submits that the dispute was purely civil in nature for which false criminal case has been instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the fardbeyan it appears that the fardbeyan of the informant was recorded in the hospital.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 565 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, it is made clear that the learned Trial Court, before accepting the bail bonds of the petitioner, shall verify the



injury report of the informant and in the event if it is found that the informant suffered grievous injury on head then in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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