

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32255 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

1. Raju Ram, S/o Late Jagbali Ram, R/o village- Turki, P.S.- Kudra, District-Kaimur at Bhabua
2. Chhotai Ram, S/o Late Jagbali Ram R/o village- Turki, P.S.- Kudra, District-Kaimur at Bhabua

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Tiwary, Advocate
		Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Kudra P.S. Case No. 63 of 2023 registered for the offences under Sections 448, 323, 307, 34 of the Indian Penal Code. They have no criminal antecedent.

3. As per the prosecution story, on 05.02.2023 at about 11:00 A.M. the son of the informant, namely, Prince Kumar was found hanging on the fan in the 'dalan' of his maternal uncle. After treatment, the son of the informant told that these two petitioners along with one other unknown person assaulted him by fists and kick with intention to kill and hanged him to show this a suicide.



4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. It is further submitted that the FIR has been lodged at a much delayed time.

5. Learned counsel for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the son of the informant (victim) was discharged from hospital on 09.02.2023 but in respect of the alleged occurrence of 05.02.2023 the present FIR has been lodged on 18.02.2023 and further submission that the son of the informant was found hanging in his own 'dalan', however, the informant claims that his son was hospitalized and has been saved, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners shall be released on bail in connection with Kudra P.S. Case No. 63 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua, 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 petitioners and in case at



any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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 disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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