

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32321 of 2023

Arising Out of PS. Case No.-496 Year-2017 Thana- BHABHUA District- Kaimur (Bhabua)

India Patel @ Indian Patel @ Rajesh Kumar, Son of Pramod Kumar Singh @
Pramod Singh Resident of village - Khaira, P.S.- Sonhan, District - Kaimur
(Bhabua).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-07-2023 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 Bhabhua P.S. Case No. 496 of 2017 registered for the offences under Sections 341, 324, 307, 379, 34 of the Indian Penal Code. He has no criminal antecedent.

3. As per the prosecution story, on 15.08.2017 at about 08:00 A.M. when the informant forbade his wife, namely, Neetu Devi to talk on the mobile phone, she along with his brother (this petitioner) repeatedly assaulted him by dagger due to which he suffered several injuries on various parts of the body.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in this case. It is further submitted that there is simple injury and the parties have compromised the matter.

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

6. Having regard to the relationship between the informant and the petitioner, the fact that there is a simple injury and the parties are said to have compromised the matter and police submitted a chargesheet only under Section 341, 323, 34 of the Indian Penal Code but the learned Magistrate has upon a difference of opinion taken cognizance also under Sections 307 and 379 of the Indian Penal Code, in the circumstances, 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 Bhabhu P.S. Case No. 496 of 2017 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 Additional Chief Judicial Magistrate, VIIth, 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 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 disposed of accordingly.

(Rajeev Ranjan Prasad, J)

lekhi/-

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

