

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37596 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- PANDAUL District- Madhubani

SHAMBHU RAUT SON OF HARISH CHANDRA RAUT RESIDENT OF
VILLAGE - MOHANPUR, P.S. - PANDAUL, DISTRICT - MADHUBANI
... .. Petitioner

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 06-09-2023 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 Pandaul P.S. Case No. 108 of 2022 registered for the offences punishable under Sections 341, 323, 324, 308, 379, 504/34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that due to earlier enmity the petitioner along with other co-accused assaulted the informant with danda and lathi and when the informant's father-in-law came to rescue they also assaulted him. The petitioner and other co-accused assaulted Manju Devi and also took Rs. 10,000/- and ornaments.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no specific allegation against the petitioner.

5. Learned APP for the State has opposed the prayer for



anticipatory bail of the petitioner.

6. Having regard to the submissions of learned APPP for the State after looking into the case diary that the victim Manju Devi has not specifically stated the name of the petitioner in her statement under Section 161 Cr.P.C. and there is no injury report of her in the diary, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Pandaul P.S. Case No. 108 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 C.J.M., Madhubani, 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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