

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40856 of 2023

Arising Out of PS. Case No.-606 Year-2022 Thana- RAJAON District- Banka

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Anil Kumar, S/O Sahdev Prasad Yadav, R/O Village- Parghari, Bamdeo,
Banka, P.S. Rajoun, State- Bihar, Pin Code- 813107

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bambam Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner in the present case is seeking pre-arrest
bail in connection with Rajoun P.S. Case No. 606 of 2022
registered for the offences under Sections 341, 323, 354B, 379,
504, 506, 34 of the Indian Penal Code. He has no criminal
antecedent.

3. Learned counsel for the petitioner submits that the
informant alleged that while she was discharging her duty, the
petitioner abused and pulled her saree and blouse. It is alleged
that the accused committed theft of Rs.5,000/- from the office of
the informant and some official documents. Informant further
alleged that her husband was assaulted by lathi and danda while
he was sitting at the shop of one Ashok Rajak.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is further submitted that there is a delay in lodging of the FIR and no specific allegation has been leveled against the petitioner.

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

6. Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the occurrence is of 10.12.2022 for which the FIR has been lodged on 15.12.2022, no specific allegation of assault on the husband of the informant has been leveled against this petitioner and the petitioner has otherwise no criminal antecedent, hence, 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 Rajoun P.S. Case No. 606 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., Banka, 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)

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