

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41266 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- KESARIA District- East Champaran

RAJAN DAS @ BHOLA DAS @ RAJAN KUMAR Son of Sukan Das
Resident of village - Dilawrpur Tola Konhi, P.s. - Keshariya, Distt. - East
Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Ms. Rashmi Jha, Advocate Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP

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. The petitioner, in the present case, is seeking pre-arrest bail in connection with Keshariya P.S. Case No. 14 of 2023 registered for the offences punishable under Sections 341, 323, 504, 506 of the Indian Penal Code and 25(1-b)a, 26, 27 of the Arms Act. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, on 10.01.2023 the brother-in-law of nephew of the informant had come at the house of the informant and was walking near Bridge, the petitioner, who is also nephew of the informant, came there and pointed country made pistol on him and assaulted. The informant further alleged that this petitioner was also assaulted



Deepak Kumar with the butt of the pistol.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to pattidari dispute. Learned counsel submits that petitioner is said to have assaulted on the nose of Deepak Kumar with the butt of the country made pistol, but there is no injury report.

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

6. Having regard to the submission that petitioner is the nephew of the informant, there is some dispute being the co-sharer, there is no injury report of the nephew of the informant, petitioner assaulted the brother-in-law of another nephew, however there is no injury report, later on it is alleged that in the alleged occurrence one Deepak Kumar has suffered an injury from the barrel of the katta, in the order of learned Sessions Judge, no injury report has been noticed, petitioner has otherwise no criminal antecedent, hence, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East



Champaran in connection with Keshariya P.S. Case No. 14/2023, 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.

(Rajeev Ranjan Prasad, J)

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