

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44551 of 2023

Arising Out of PS. Case No.-237 Year-2022 Thana- BARARI District- Katihar

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Santosh Kumar @ Santosh Kumar Yadav @ Santosh Yadav Son Of Arun
Kumar Yadav @ Arbind Yadav Resident Of Village - Kuriya, P.S. - Barari,
District – Katihar Petitioner/s

Versus

THE STATE OF BIHAR , PATNA Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 323, 307, 504, 506,34 of the Indian Penal Code and section 27 of the Arms Act.

3. Prosecution case relates to abuse and assault by the petitioner to the informant by means of *lathi*.

4. It is submitted by learned counsel for the petitioner that petitioner had earlier moved before this Court for grant of anticipatory bail in criminal miscellaneous no. 63792 of 2022 and had been granted bail vide order dated 16.01.2023 with a direction to the court below to verify the criminal antecedent of this petitioner at



the time of filing bail bond as in bail petition in place of five criminal antecedents, only three antecedents are disclosed.

5. It is further submitted by learned counsel for the petitioner that at the time of filing bail bond, trial court has found five criminal antecedents and his bail bond could not be filed.

6. Again by way of filing Cr. Misc. No. 30567 of 2023, petitioner had moved for modification of the order dt. 16.01.2023 but the same has been withdrawn vide order dated 10.05.2023, and he was directed to surrender before the court below within a period of six weeks.

7. It is further submitted that petitioner surrendered in the court below within the time fixed by the aforesaid order and he is languishing in custody since 30.05.2023.

8. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction
of the learned ACJM-III, Katihar in connection with Barari
P.S. Case No. 237 of 2022.

(Sunil Kumar Panwar, J)

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