

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43577 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- CHAPRA TOWN District- Saran

Vikash Rai, Son Of Prabhu Rai @ Prabhu Ray, resident of Mohalla- Gandhi Chowk, P. S.- Town (Chapra), District Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 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 Town P.S. Case No.81 of 2023 registered for the offences punishable under Sections 307, 341, 323, 324, 379, 504 and 506/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he had assaulted the informant by iron rod and also snatched a golden chain from the neck of the informant and took out Rs.5000/- from his pocket.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that the specific allegation of



assault has been made against co-accused Mannu Rai.

5. Learned A.P.P. 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 the specific allegation has been made against co-accused Mannu Rai of having assaulted the informant by a knife and the allegation against the petitioner and co-accused Prabhu Rai is that they had assaulted the informant by iron rod, but the injury is said to be simple in nature and the petitioner has otherwise no criminal antecedent, 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 bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Town P.S. Case No. 81 of 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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