

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45457 of 2023**

Arising Out of PS. Case No.-205 Year-2021 Thana- PARASBIGHA District- Jehanabad

1. Dinesh Das Son Of Jai Shankar Das Resident Of Village- Amain Ps-Parasbigha, Dist- Jehanabad
2. Jai Shankar Das Son Of Late Dwarik Das Resident Of Village- Amain Ps-Parasbigha, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-08-2023 Heard the parties.

The petitioners are apprehending their arrest in connection with Parasbigha P.S. Case No. 205 of 2021 for the offence under sections 341, 323, 308, 354, 379 and 504/34 of the I.P.C. lodged on 16.12.2021 by the informant, Satyendra Kumar.

As per the prosecution story, the allegation is that both the petitioners assaulted the informant and his father respectively causing injury on the head and hands. Further, allegation of snatching of cash as also gold ornaments is on the ladies of the family. Accordingly, the F.I.R.

It is the case of the learned counsel for the petitioners



that the injuries have been found to be simple in nature, both the petitioners do not have criminal antecedent.

Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 5,000/- each through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP opposes the prayer stating that both the petitioners assaulted the informant and his father.

Considering the aforesaid facts as also that the injuries have been found to be simple in nature and the petitioners do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 5,000/- each as undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten thousand) each with two sureties of like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-IV, Jehanabad, in connection with Parasbigha P.S. Case No. 205 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.



With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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