

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50563 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- KARPI District- Jehanabad

HIRDYA NAND KUMAR @ HIRDYA NAND SINGH Son of Kaleshwar Singh Resident of Village - Asarhi, Sahar Telpa, P.S.- Karpi (Sahar Telpa O.P.), District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.A.K. Lal, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 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 Karpi (Sahar Telpa O.P.) P.S. Case No.124 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code. The petitioner has got one criminal antecedent in which he is said to be on bail as stated in paragraph '3' of the application.

3. As per the prosecution story, on 11.04.2023 at about 7.00 AM when the informant was cutting wheat crops in her field, then all the accused persons including this petitioner came there and started abusing. It is alleged that when the informant



made protest then the petitioner assaulted the husband of the informant by means of lathi on his head due to which he sustained head injury. It is further alleged that thereafter Priyanka Devi, Sarita Kumari and Chinta Devi assaulted the informant and her husband by means of lathi and danda.

4. Learned counsel for the petitioner submits that there is a case and counter case between the parties with respect to the same occurrence and the alleged occurrence has taken place on account of a land dispute. Learned counsel submits that the two persons had given lathi blows to the husband of the informant but the doctor has found single lacerated wound which is simple in nature.

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 there is a case and counter case between the parties with respect to the same occurrence, the alleged occurrence has taken place on account of a land dispute and it is alleged that two persons had given lathi blows to the husband of the informant but the doctor has found single lacerated wound which is simple in nature, 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 Judicial Magistrate-1st Class, Arwal, Jehanabad in connection with Karpi (Sahar Telpa O.P.) P.S. Case No. 124 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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