

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50558 of 2023

Arising Out of PS. Case No.-403 Year-2022 Thana- DINARA District- Rohtas

Bindeshwari Singh @ Indradeo Singh Son Of Late Kishun Singh Resident Of
Village - Khalsapur, P.S. - Dinara, District - Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Upadhyay, 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 Dinara P.S. Case No.403 of 2022 registered for the offences punishable under Sections 341, 323, 379, 308, 504 and 506/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, on 03.11.2022 at about 1.00 PM the FIR named accused persons including this petitioner came at the land of the informant with various weapons like lathi, danda, Rami and iron rod and started abusing the informant and claim ownership regarding the land and when the informant made protest then one Ravi Singh assaulted the informant on his head with Rami due to which he



sustained head injury. It is alleged that when the father of the informant came to save the informant then Bindeshwari Singh (petitioner) assaulted him with iron rod on his head due to which he fell down and sustained head injury. It is further alleged that accused Sonu Singh also assaulted the father of the informant by lathi on his hand and waist and accused Bikash Singh snatched his golden locket worth Rs.5,000/-.

4. Learned counsel for the petitioner submits that the alleged occurrence took place on 03.11.2022, the petitioner's side had lodged a First Information Report giving rise to Dinara P.S. Case No.396 of 2022 and two days thereafter the present FIR has been lodged by the informant. Learned counsel submits that there is a case and counter case between the parties.

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 the alleged occurrence took place on 03.11.2022, the petitioner's side had lodged a First Information Report giving rise to Dinara P.S. Case No.396 of 2022 and two days thereafter the present FIR has been lodged by the informant, there being a case and counter case between the parties, 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 Additional Chief Judicial Magistrate-II, Bikramganj (Rohtas) in connection with Dinara P.S. Case No. 403 of 2022, 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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