

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50594 of 2023

Arising Out of PS. Case No.-107 Year-2023 Thana- OBRA District- Aurangabad

RAJNISH KUMAR S/O Gajendra Singh R/O Village- Kajhama, P.O- Aranda,
P.S- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar, 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 Obra P.S. Case No.107 of 2023 registered for the offences punishable under Sections 341, 323, 504, 506, 379, 307 and 325/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the FIR has been lodged against 6 named accused persons including this petitioner. It is alleged by the informant that all the above six accused persons have reached near the temple and started abusing the informant. The allegation against the petitioner is that he has attacked on the informant by lathi.

4. Learned counsel for the petitioner submits that



there is a case and counter case between the parties and the alleged occurrence took place on account of a land dispute. Learned counsel submits that the allegation of assault to the informant's side has been made against co-accused Pawan Kumar Singh, Ankit Kumar and Vikash Kumar out of whom Manish Kumar and Ankit Kumar have been granted privilege of pre-arrest bail by a learned coordinate Bench of this Court in Cr.Misc.No.48929/2023. It is submitted that the allegation against the petitioner is general and omnibus.

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, the alleged occurrence took place on account of a land dispute, the allegation of assault to the informant's side has been made against co-accused Pawan Kumar Singh, Ankit Kumar and Vikash Kumar out of whom Manish Kumar and Ankit Kumar have been granted privilege of pre-arrest bail by a learned coordinate Bench of this Court in Cr.Misc.No.48929/2023, the allegation against the petitioner is general and omnibus and the petitioner has otherwise no criminal antecedents, 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 S.D.J.M., Aurangabad in connection with Obra P.S. Case No. 107 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)

arvind/-

U		T	
---	--	---	--

