

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51032 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- KALYANPUR District- Samastipur

Md Firoj @ Md Firoz S/O Md. Aklu R/O Village- Kalyanpur, Ps. Kalyanpur,
Dist. Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party/s :	Mr.Chandra Bhushan Prasad, APP
For the Informant :	Md.Shadab Alam Wazdi, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 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 Kalyanpur P.S. Case No. 180 of 2023 registered for the offences punishable under Sections 323, 307, 354, 341, 379, 506, 504/34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, allegation the petitioner is that when the informant was at her home then he started abusing and when she objected the same the petitioner started assaulting her mother with khanti.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned



counsel for the petitioner submits that the alleged occurrence took place on 31.05.2023 but the present F.I.R. has been lodged on 12.06.2023, the petitioner and the informant are from the same family.

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 it is the submission of learned counsel for the petitioner that the alleged occurrence took place on 31.05.2023 but the present F.I.R. has been lodged on 12.06.2023, the petitioner and the informant are from the same family, there was some petty dispute and altercation between the parties in which some superficial and minor injuries were caused, the discharge slip produced by the learned counsel for the informant shows no significant abnormality, though a stitched wound was found, 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 of 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, Samastipur, in connection with Kalyanpur P.S. Case No. 180 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.

(Rajeev Ranjan Prasad, J)

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