

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51710 of 2023

Arising Out of PS. Case No.-65 Year-2023 Thana- DHANSOI District- Buxar

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1. Lavkush Pathak S/O Uma Pathak R/O Village- Jagmanpur, Ps. Dhansoi, Dist. Buxar
 2. Pritam Pathak @ Pritam Kumar Pathak S/O Uma Pathak R/O Village- Jagmanpur, Ps. Dhansoi, Dist. Buxar

... .. **Petitioners**

Versus

The State of Bihar

... .. **Opposite Party**

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey, Advocate
For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Dhansoi P.S. Case No. 65/2023 registered for the offences punishable under Sections 341, 323, 308, 379, 504 & 506 of the Indian Penal Code. They have no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that he had given one lakh ruppes to Lavkush Pathak for purpose of dropping the building materials, but the petitioners did not do that, and when he reminded, then both the brothers started quarreling with him and assaulted him with knife.

4. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in this case. Learned counsel submits that there was some dispute on account of some money transaction between the parties in which the alleged occurrence had taken place.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it appears that there was some dispute on account of some money transaction between the parties in which the alleged occurrence has taken place, the allegation is that the informant was assaulted by a knife but the injury report says that the injury have been caused by hard and blunt substance, petitioners have otherwise no criminal antecedent, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dhansoi P.S. Case No. 65/2023, 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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