

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51413 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- PAKARIBARAW District- Nawada

Ramdeo Chaudhary Son Of Babulal Chaudhary Village Budhauri, Ps-
Pakaribarwan, Dist- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

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 Pakaribarawan P.S. Case No. 203 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 & 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, the informant has alleged that on 14.05.2023 when he was dealing in milk, nine persons on three motorcycles came there armed with lathi, khanti, Pijauna etc. and attacked on him and assaulted on the forehead of the informant as a result of which he sustained injury and the accused persons also taken away Rs. 33,000/- and golden chain.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the injury is simple in nature as also in the F.I.R. initially nine persons repeatedly assaulted the informant by means of lathi, danda, khanti etc. but he sustained only one injury.

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 wherein it is submitted that as per the F.I.R. initially nine persons repeatedly assaulted the informant whereafter this petitioner is said to have assaulted him on his head by Pijauna and thereafter once again five persons and 3-4 unnamed persons had assaulted him but the injury report shows only one lacerated wound at the forehead and pain and swelling on the right hand elbow joint suggesting some difficulty in accepting the prosecution story, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named, who has otherwise no criminal antecedent, 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 Sri Diwakar Kumar, learned



Judicial Magistrate - 1st Class, Nawada, in connection with Pakaribarawan P.S. Case No. 203 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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