

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55587 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- SAKURABAD District- Jehanabad

Shivam Kumar Son Of Ram Pukar Sharma Resident Of Village - Jharkha,
Police Station - Shakurabad in the District of Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Rina Sinha,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-11-2023 Heard Mr.Sunil Kumar, learned counsel for the

petitioner and Mrs.Rina Sinha, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Shakurabad P.S.Case No.111 of 2023, FIR dated 28.05.2023 registered for the offences punishable under Sections 341,323,307,504,506,509/34 of IPC.

3. Allegation against the petitioner is that he assaulted to the informant with iron rod (Khanti) on her head causing head injury.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case and due to admitted land dispute, the present occurrence had taken place and both the parties are



agnates and it appears from the FIR allegation against the petitioner is that he assaulted to the informant with iron rod (Khanti) on her head causing head injury but the injury report of the informant suggests that although she has received injury but the injury is simple in nature caused by hard and blunt object.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jehanabad in connection with Shakurabad P.S. Case No.111 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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/her 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.

(Rajesh Kumar Verma, J)

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