

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59386 of 2023

Arising Out of PS. Case No.-551 Year-2022 Thana- GHOSI District- Jehanabad

Shishupal Kumar @ Shishu Pal Sharma @ Dinku Sharma, Son of Late
Kamata Sharma, Resident of Village-Dehuni, P.S.-Ghoshi, District-Jehanabad.
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2023 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 Ghoshi P.S. Case No. 551 of 2022 registered for the offences punishable under Sections 341, 323, 324, 379, 307, 34 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, while the informant was urinating near PACS godown, the FIR named accused person including the petitioner arrived there having sharp fasuli and Vikas Sharma attacked on him which caused injury in his left palm and the petitioner caused injury on his right arm. It is further alleged that son of Vikash Sharma snatched golden chain.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has allegedly caused injury on the right arm of the informant which is found to be simple in nature. It is further submitted that the present case is a counter version of Ghoshi P.S Case No. 554 of 2022 lodged by the wife of co-accused Vikash Kumar.

5. Learned APP 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 there is a case and counter case between the parties, the allegation against the petitioner is that he had inflicted an injury on the right arm of the informant, however, the said injury no. 1 present in the injury report (Annexure 'P-3') is said to be simple in nature, the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named shall be released on bail in connection with Ghoshi P.S. Case No. 551 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Jehanabad, 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 their 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)

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