

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57967 of 2023

Arising Out of PS. Case No.-190 Year-2022 Thana- PHULWARIA District- Begusarai

RAJESH RAM S/o- JADU RAM Village- Fulwariya Ps- Fulwariya Dist-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-10-2023 Heard Mr. Raj Kumar Sinha, learned counsel for the
petitioner and Dr. Indihar Kumari, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Phulwariya P.S. Case No. 190 of 2022, F.I.R. dated 15.11.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354, 354(B), 356, 380, 504, 506 of the Indian Penal Code.

3. Allegation against the petitioner is that he has assaulted the informant by sharp cutting weapon due to which he sustained injured.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case and the present case is counter blast of Phulwariya P.S. Case No. 183 of 2022 filed by the petitioner against the family



members of the informant. He further submits that it appears from the F.I.R. that the allegation against the petitioner is that he has assaulted to the informant by sharp cutting weapon and she has received only simple injury caused by hard and blunt substance but the allegation in the F.I.R. is that he has assaulted with sharp cutting weapon.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that from perusal of the F.I.R. it appears that there is specific allegation against the petitioner that he assaulted to the informant and apart from the aforesaid, the petitioner is an accused in one other case.

6. Considering the facts and circumstances of the case, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Begusarai in connection with Phyulwariya P.S. Case No. 190 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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.

(Rajesh Kumar Verma, J)

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