

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61750 of 2023

Arising Out of PS. Case No.-266 Year-2022 Thana- KANKARBAG District- Patna

MUNNA RAY NA RESIDENT OF VILLAGE-DUSHADI PAKDI, PS-
KANKARBAGH, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-10-2023 Heard Mr. Shambhu Sharan Singh, learned counsel
for the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Kankarbagh P.S. Case No. 266 of 2022 for the offence under sections 341, 323, 324, 307, 504 and 506 of the I.P.C. lodged on 20.03.2022 by the informant, Rajiv Kumar Gupta.

3. As per the prosecution story, the informant has alleged that the petitioner ran after him holding a knife in his hand and further, it is alleged that he threw a brick which caused injury on his head as a result, he had to move to PMCH. Accordingly the FIR.

4. It is the case of the petitioner that only because of criminal antecedent, he has been implicated in the matter.



Though the informant has alleged injury on the head, a bare perusal of learned Session Judge record would show that no injury report has been found in the case diary.

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties and a perusal of learned Session Judge order shows that the injury report has not been found in the case diary, this Court is inclined to extend him the privilege of anticipatory bail with strict conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna, in connection with Kankarbagh P.S. Case No. 266 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

kiran/-

U		T	
---	--	---	--

