

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62325 of 2023

Arising Out of PS. Case No.-342 Year-2023 Thana- HISUWA District- Nawada

1. Bablu Chaudhary @ Bablu Kumar S/O Rohan Chaudhari R/O P.O- Hisua Dih Railway Gumti, P.S- Hisua, Distt.- Nawada.
2. Pintu Chaudhary @ Pintu Kumar S/O Rohan Chaudhari R/O P.O- Hisua Dih Railway Gumti, P.S- Hisua, Distt.- Nawada.
3. Ritik Kumar S/O Krishna Chaudhari @ Krishna Chauhan R/O P.O- Hisua Dih Railway Gumti, P.S- Hisua, Distt.- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Saurav Barial, Advocate
For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 Learned counsel for the petitioners submits that petitioner nos. 1 and 2 have got one criminal antecedent each, however, it could not be stated in paragraph '3' of the application.

2. In the aforesaid view of the matter, the present application on behalf of petitioner nos. 1 and 2 is permitted to be withdrawn with liberty to file a fresh application for anticipatory application clearly stating complete criminal antecedent of petitioner nos. 1 and 2.

3. This application is now taken up for consideration as regards petitioner no. 3 only.

4. Petitioner no. 3 in the present case is seeking pre-



arrest bail in connection with Hisua P.S. Case No. 342 of 2023 registered for the offences punishable under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code. He has got no criminal antecedent.

5. As per the prosecution story, on 02.07.2023, these petitioners along with two others came at the shop of the informant and started pelting stones at his shop and also assaulted him. It is alleged that co-accused Sanjay Chaudhary was in drunken condition who assaulted him and also took away Rs.46,000/- from his shop and snatched 15gm of golden chain.

6. Learned counsel for petitioner no. 3 submits that petitioner no. 3 is not named in the FIR and he was not found under intoxication and nobody has claimed that this petitioner no. 3 was involved in the alleged occurrence.

7. Learned APP for the State has opposed the prayer for anticipatory bail of petitioner no. 3 but considering the facts and circumstances of the case and further that petitioner no. 3 has got no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of six weeks from today, petitioner no. 3 above named be released on bail in connection with Hisua P.S. Case No. 342 of 2023 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 Exclusive Special Excise Judge-1st, Nawada, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner no. 3 and in case at any stage it is found that the petitioner no. 3 has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner no. 3. 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.

9. This application as regards petitioner no. 3 stands allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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

