

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59327 of 2022**

Arising Out of PS. Case No.-167 Year-2022 Thana- MUFFASIL District- Aurangabad

VIJAY KUMAR S/o Ramchandra Sao R/o Village- Adhaura, P.S.- Haidar  
Nagar, Distt- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Krishna Prasad Singh, Advocate  
For the Opposite Party/s : Mr.Ramchandra Sahni,APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      06-02-2023                      Heard Mr. Krishna Prasad Singh, learned Senior  
Counsel for the petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with Aurangabad (Mufassil) P.S. Case No. 167 of 2022 for the offence registered under Sections 307, 341, 323, 324, 325, 326, 504, 506, 147 and 149 of the Indian Penal Code.

As per the prosecution story, during the marriage ceremony, allegation is that the groom's side tried to molest the female members of the bride's side which resulted into hot arguments and the allegation against this petitioner is that in the mean time, he threw hot oil as a result, number of persons got burn injury. The accuseds further assaulted on the hand to the informant by '*iron rod*'. Accordingly, the FIR was lodged.

Learned Senior Counsel submits that the occurrence



took place on 24.05.2022, FIR lodged on 25.05.2022 but surprisingly, the patients for treatment a month later on 23.06.2022 as would reflect from Annexure 2 series.

Further, all the injuries have been found to be simple in nature. The last submission is that irrespective of the outcome of the present case, in view of the fact that now both the parties had come to a negotiating, the petitioner side would like to extend the medical assistance of Rs. 5,000/- each to the six injureds totalling Rs. 30,000/- to be paid through Demand Draft issued by the local State Bank Of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that allegation is of throwing hot oil on the informant's side.

Taking into account the aforesaid submissions put forward by the learned Senior Counsel as also that they do not have criminal antecedent and will be ultimately facing the trial, this Court is inclined to grant them privilege of anticipatory bail subject to payment of Rs. 30,000/- as stated above, with conditions.

Let the petitioner in the event of arrest or surrender



within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 167 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C with further conditions:-

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

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

(v) the petitioner shall co-operate in the investigation



and made himself available to the police as and when required.

**(Rajiv Roy, J)**

Jagdish/Neha/-

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