

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63519 of 2023

Arising Out of PS. Case No.-139 Year-2022 Thana- ARWAL District- Jehanabad

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Santosh Kumar S/O Madhusudan Singh, resident of Village- Hasanpura, Ps-
Arwal, Dist- Arwal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Narayan Singh, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 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 Arwal P.S. Case No.139 of 2022 registered for the offences punishable under Sections 341, 323, 308, 504 and 506/34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, on 25.03.2022 at about 12.00 PM a dispute arose between the petitioner and the accused persons on account of fishing in which the accused persons attacked upon the informant and assaulted him by khanti and danda on his nose. It is alleged that when the informant's brother came to rescue him, one Santosh Kumar (petitioner) assaulted him by lathi on his head due to which he



sustained injury on his head, finger, head and leg. It is also alleged that petitioner snatched away golden chain from the neck of the informant.

4. Learned counsel for the petitioner submits that in course of investigation, the I.O. has not collected any injury report, the petitioner has cooperated throughout the investigation and he was given the benefit of Section 41(1) of the Code of Criminal Procedure. Learned counsel submits that, at this stage the petitioner is ready to abide by such terms and conditions which may be imposed for purpose of grant of pre-arrest bail.

5. Learned A.P.P. 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 learned counsel for the petitioner submits that in course of investigation the I.O. has not collected any injury report, the petitioner has cooperated throughout the investigation and he was given the benefit of Section 41(1) of the Code of Criminal Procedure and at this stage the petitioner is ready to abide by such terms and conditions which may be imposed for purpose of grant of pre-arrest bail, this Court directs that in case of his arrest/surrender within a period of six



weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal in connection with Arwal P.S. Case No. 139 of 2022, 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 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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