

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65776 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- SAMHO District- Begusarai

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1. BITTU JHA son of Devchandra Jha Village- Lathauna Ps- Samho Dist- Begusarai
 2. Rahul Jha @ Rahul Kumar son of Devchandra Jha Village- Lathauna Ps- Samho Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners, in the present case, are seeking pre-arrest bail in connection with Samho P.S. Case No.21 of 2023 registered for the offences punishable under Sections 341, 323, 307 and 504/34 of the Indian Penal Code. The petitioners have got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioners is that they had assaulted the informant by khanti on his head due to which he sustained head injury and when his mother came to rescue him, she was assaulted by them.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. Learned counsel submits that there is no allegation of any overt act against the petitioners and they have otherwise no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case, the nature of the dispute and the injury report showing simple injury, the petitioners have otherwise no criminal antecedents, this Court directs that in case of their arrest/surrender within a period of six weeks from today, let the petitioners 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 A.C.J.M.-IVth, Begusarai in connection with Samho P.S. Case No. 21 of 2023, 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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