

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67053 of 2023

Arising Out of PS. Case No.-501 Year-2023 Thana- SITAMARHI District- Sitamarhi

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Raja Kumar @ Govind Kumar S/o Kedar Prasad @ Kedarnath Prasad
Resident of Village-Koat Bazar ward no. 15, Police Station-Sitamarhi,
District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Narayan Mishra, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-11-2023 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 Sitamarhi P.S. case No.501 of 2023 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 379 and 34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he had assaulted the informant by iron rod on his head repeatedly with an intention to kill him, he also threatened the informant by putting knife on his neck and also snatched golden chain from the neck of one Mukesh.

4. Learned counsel for the petitioner submits that

there is a case and counter case between the parties and the alleged injury caused by this petitioner is said to be simple in nature. Learned counsel submits that the accused in the counter case, namely, Gopal Kumar has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.55941 of 2023.

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 there is a case and counter case between the parties and the alleged injury caused by this petitioner is said to be simple in nature and further considering that the accused in the counter case, namely, Gopal Kumar has been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.55941 of 2023, 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, Sitamarhi in connection with Sitamarhi P.S. Case No. 501 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 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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