

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70981 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- KHUSRUPUR District- Patna

Bhonu Kumar @ Bhonu Paswan S/O Ranjeet Paswan R/O Hardas Bigha, P.S-
Khusrupur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Khusrupur P.S. Case No.316 of 2022 F.I.R. dated 19.08.2022 registered for the offence punishable under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant on was coming back from coaching when Ratan Kumar and Bhonu Kumar started harassing her and tried to get her seated on their motorcycle. When she raised alarm then both of them fled away although the villagers tried to catch them. After coming back to her home she narrated the incident to her parents and when her parents went at their home to convince them then they were assaulted and abused and they were threatened that if they filed any case then they will be shot dead.



Again in the morning of 19.08.2022 both of them came with pistol in their hand and after threatening fled away. They were saying that they will see her when she comes after filing the case. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna City in connection with Khusrupur P.S. Case No.316 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) 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 antecedents, the court below shall take step for cancellation of anticipatory 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.

(Rajesh Kumar Verma, J)

Prakash Narayan

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