

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71659 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- SURYAPURA District- Rohtas

Ashok Ram @ Ashok Kumar S/O- Late Prakash Ram Village- Agrer Kala Ps-
Suryapura Dist- Rohtas. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-11-2023 Heard Mr. Dhaneshwar Prasad Gupta, learned counsel

appearing on behalf of the petitioner and Mr. Murli Dhar, learned

APP appearing on behalf of the State.

2. The petitioner seeks anticipatory bail in connection
with Suryapura P.S. Case No. 57 of 2022 registered under Sections
341, 323, 307, 504, 506/34 of the Indian Penal Code.

3. Allegation is, that of, assaulting the husband of the
informant with iron-rod on his head. Injury is grievous in nature.

4. Learned counsel appearing on behalf of the petitioner
submits that informant is not the eye witness and no such
incidence has taken place as alleged in the FIR. He further submits
that the petitioner to end the enmity has informed him that he will
bear the cost of medical treatment, hospital expenses which has
been allegedly spent for the treatment of the husband of the
informant.

5. Learned APP for the State vehemently opposed the

prayer for grant of pre-arrest bail

6. Considering the nature of allegation made in the FIR, as well as, the submission made on behalf of the petitioner that petitioner is ready to bear the cost of all the medical expenses is subject to the willingness of the informant. However, it appears that the petitioner having realized, has intended to end his enmity, is ready to amicably bear the expenses incurred in the treatment of the husband of the petitioner. I am of the opinion that in case petitioner, along with two responsible persons of the locality, files an affidavit with an under-taking before the District Court, the District Court in that case may call upon the informant, so that the amount of the total expenses can be informed.

7. The petitioner is directed to be released provisionally on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 19th Additional Sessions Judge, Rohtas at Sasaram in connection with Surajpura P.S. Case No. 57 of 2022, on such terms and conditions as the court below deems it fit and proper.

8. If the informant acknowledges that the petitioner has paid the required amount, the provisional bail granted to the

petitioner shall be made absolute after a period of six weeks, subject to the terms and conditions as laid down under Section 438(2) of the Cr.P.C. and further any condition fixed by the Court below.

9. In case of failure, bail bond of the petitioner shall be canceled.

(Purnendu Singh, J.)

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