

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75832 of 2023

Arising Out of PS. Case No.-96 Year-2020 Thana- LAUKAHI District- Madhubani

Fuleshwar Sah Son Of Ganesh Sah Resident Of Village - Hirpatti, P.S. -
Laukahi, District - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-11-2023 Heard Mr.Ashok Kumar, learned counsel for the
petitioner and Mr.Mohammad Sufyan, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Laukahi P.S.Case No.96 of 2020, corresponding to G.R.No.932 of 2020, FIR dated 04.06.2020 registered for the offences punishable under Sections 143,341,323,324,308,427,379,504 of the Indian Penal Code, 1860.

3. Allegation against the petitioner is that he assaulted to the son of the informant by means of Axe causing injury on his head.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated



in the present case and it appears from the FIR itself that due to admitted land dispute the present occurrence had taken place and as per allegation in the FIR the petitioner has assaulted to the son of the informant but the injury report of the son of the informant suggests that although he has received two injuries but both the injuries are simple in nature.

5. Learned A.P.P. for the State has 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 bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No.96 of 2020, corresponding to G.R.No.932 of 2020, 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/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of 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/her 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.

(Rajesh Kumar Verma, J)

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