

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73883 of 2022

Arising Out of PS. Case No.-142 Year-2022 Thana- BELDOUR District- Khagaria

DAVID KUMAR @ DAVID KUMAR DANGE Son of Laxman Prasad
Sharma Resident of Ward No.-15, Beldour, P.S.- Beldour, District- Khagaria
... .. Petitioner

Versus

The State of Bihar Bihar
... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP
For the Informant : Mr.Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

Petitioner in the present case is seeking anticipatory
bail in connection with Beldaur P.S. Case No. 142 of 2022
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 307 & 302 of the Indian Penal Code. Petitioner
has got no criminal antecedent.

As per the prosecution story, the petitioner helped
Ranjan Raj in fleeing from the place of incident on his
motorcycle where Ranjan Raj along with all other accused
persons assaulted the informant, his father and brother with iron
rod, lathi and by other weapons as a result of which they
sustained several injuries.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is no specific allegation against the petitioner.

Mr. Umanath Mishra, learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is the case of the petitioner that he is not named as an assailant of the deceased, the order giver namely Ranjan Raj has already been granted privilege of pre-arrest bail by a learned Coordinate Bench of this Court in Cr. Misc. No. 11158 of 2023 and the only allegation against the petitioner is that he was there ready with a motorcycle to take away the accused persons, in the nature of the allegations and considering that the co-accused has already been granted privilege of pre-arrest bail, this Court directs release of the petitioner above-named on bail in the event of their arrest or surrender within a period of four weeks from today in connection with Beldaur P.S. Case No. 142 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate I, Khagaria, subject to the conditions as laid down under Section



438(2) of the Cr.P.C.

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.

The application is allowed.

(Rajeev Ranjan Prasad, J)

tusharika/-

U		T	
---	--	---	--

