

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74175 of 2022

Arising Out of PS. Case No.-142 Year-2020 Thana- JADIA District- Supaul

Md. Kamruddin, Son of Md. Maksud, Resident of village- Maharampur, P.S.-
Jadiya, District- Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

The petitioner in the present case is seeking pre-arrest
bail in connection with Jadiya P.S. Case No.142 of 2020
registered for the offences punishable under Sections 341, 323,
324, 307, 380, 504 and 506/34 of the Indian Penal Code. He has
no criminal antecedent.

As per the prosecution story, the allegation against the
petitioner is that he had pulled the husband of the informant by
putting handkerchief in his neck and other named accused
persons also assaulted him by deadly weapons like farsa.

Learned counsel for the petitioner submits that the
specific allegation of giving farsa blow is against the co-accused
Md. Kalim and so far as the present petitioner is concerned, the



allegation against him is that he had pulled the husband of the informant by putting handkerchief in his neck, however, from Annexure- '2' no injury has been found around the neck.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, considering that the specific allegation of giving farsa blow is against the co-accused Md. Kalim who is not before this Court, so far as the present petitioner is concerned, the allegation against him is that he had pulled the husband of the informant by putting handkerchief in his neck, however, from Annexure- '2' no injury has been found around the neck, this Court directs release of the petitioner above named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Jadia P.S. Case No.142 of 2020 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 A.C.J.M.-V, Supaul, 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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