

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74769 of 2022

Arising Out of PS. Case No.-145 Year-2022 Thana- ISLAMPUR District- Nalanda

1. Bhushan Ram Chandrabanshi @ Bhushan Chandrabanshi S/O Rajindra Chandrabanshi R/v- Atasarai, P.S.- Islampur, District- Nalanda
2. Bittu Kumar Chandrabanshi @ Bittu Chandrabanshi S/o Bhushan Ram Chandrabanshi @ Bhushan Chandrabanshi R/v- Atasarai, P.S.- Islampur, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, 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 petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Islampur P.S. Case No.145 of 2022 registered for the offences punishable under Sections 448, 341, 323, 325, 307, 379, 504 and 506/34 of the Indian Penal Code. They have no criminal antecedent.

As per the prosecution story, on 17.03.2022 at about 9.00 PM when the informant was in his house all the named accused persons including these petitioners entered in house and started abusing him and when the informant made protest, Bhushan Chandrabanshi (the petitioner) assaulted him by iron



rod causing injury on his head due to which he fell down and unconscious. It is further alleged that when the wife, mother and brother of the informant came to save him they were also assaulted by Bitu Chandrabanshi (the petitioner) by khanti.

Learned counsel for the petitioners submits that both the parties are co-villagers and neighbourers and on some petty matters they had a fight in which the informant's side has sustained some injuries but all the injuries are found to be simple in nature.

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

Having regard to the facts and circumstances of the case, considering that both the parties are co-villagers and neighbourers and on some petty matters they had a fight in which the informant's side has sustained some injuries but from Annexure- '2' it has been shown to this Court that all the injuries are simple in nature, the petitioners have otherwise no criminal antecedent, therefore, this Court directs release of the petitioners above named on bail in the event of their arrest or surrender within a period of four weeks from today in connection with Islampur P.S. Case No.145 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five



Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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