

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10226 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

PANKAJ SINGH S/o Yamuna Singh R/o-Indrapuri, P.S.-Sahayak (Nagar),
Distt-Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arbind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-02-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 147 of 2023 for the offence under Sections 341, 323, 307, 379 and 34 of the I.P.C. lodged on 10.07.2023, by the informant, Parmanand Chauhan.

3. As per the prosecution story, the informant has alleged that while he was returning home, this petitioner along with other accused persons surrounded him and petitioner gave repeated knife blows. When one Rajesh Kumar came to save him he was also injured by Pankaj Singh. Later, they took away Rs. 24,000/-. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that there was scuffle between the parties which led to assault on both side which resulted in case and counter-case. The FIR



lodged by them being Muffasil P.S. Case No. 151 of 2023, in which the informant, Pankaj Singh (petitioner herein), too sustained injuries. Learned counsel for the petitioner further submits that the injuries on the injured persons have been found to be simple in nature. Learned counsel for the petitioner lastly submits that without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- each to Parmanand Chauhan and Rajesh Chauhan through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer stating that there is nothing on record to show that this petitioner also sustained injuries and it is only the submission of the learned counsel for the petitioner.

6. Taking into account the fact that the injuries are simple in nature, he do not have criminal antecedent and there is case and counter case, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 5,000/- each to Parmanand Chauhan and Rajesh Chauhan, as



undertaken by the learned counsel for the petitioners to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Katihar, in connection with Muffasil P.S. Case No. 147 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory
bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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