

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12187 of 2024

Arising Out of PS. Case No.-814 Year-2023 Thana- PIRBAHOR District- Patna

Shantanu Shekhar Son of Sri Chitranjan Rai Resident of Vill.- Hanuman
Mandir, Kada Kuan, P.S.-Alamganj, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Mr.Abhimanyu Deo, learned counsel for the

petitioner and Mr.Amitesh Kumar,learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Pirbahore P.S.Case No.814 of 2023,FIR dated
06.11.2023 registered for the offences punishable under
Sections 147,149,341,323,307,504 & 506 of IPC.

3. The prosecution case in nutshell is that informant
namely Ramij Raja has given statement before police at
P.M.C.H. hospital on dated 06th of November 2023 at about
17:45 alleging therein that on dated 06.11.2023 at about 11:15
A.M when informant was going to department from his Neuton
Hostel as soon as when the informant reached near Vocational
Department, petitioner along with 10 other persons started



abusing and assaulting the informant with fist and iron rod due to which informant got head injury and he was admitted to PMCH.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. As per allegation in the FIR, the petitioner has assaulted to the informant with iron rod and he has received the injury on his head, although the informant has received injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the injury is simple in nature, 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 Chief Judicial Magistrate, Patna in connection with Pirbahore P.S.Case No.814



of 2023, 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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