

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13743 of 2024

Arising Out of PS. Case No.-120 Year-2021 Thana- KATORIYA District- Banka

Parmanand Kumar @ Paltan Sharma Son of Damodar Sharma Resident of
Vill.- Beloni, P.S.-Katoria, Distt.-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-03-2024 Heard Mr. Brij Nandan Prasad, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Katoria P.S. Case No. 120 of 2021 for the offence under Sections 447, 341, 323, 307, 324, 504, 506 and 34 of the I.P.C. lodged on 09.05.2021 by the informant, Reeta Devi.

3. As per the prosecution story, the informant alleged that due to land dispute, scuffle took place and Lalan Sharma gave iron rod blow to the informant's side. So far as the petitioner is concerned, the allegation is of slapping the informant as also her daughter. Accordingly the FIR.

4. Learned counsel for the petitioner submits that a bare perusal of the FIR would show that the allegation is against Lalan Sharma of giving an iron rod blow, there is allegation of



slapping the informant's side and he do not have criminal antecedent. Further, the submission is 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/- to the informant and Rs. 5,000/- to the informant's daughter (total Rs. 10,000/-) 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.

6. Taking into account the fact put forward by the parties as also the fact that main allegation is against Lalan Sharma of giving iron rod blow, against this petitioner there is allegation of assaulting women, considering that he do not have criminal antecedent and will ultimately have to face the trial, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 5,000/- to the informant and Rs. 5,000/- to the informant's daughter (total 10,000/-) as undertaken by the learned counsel for the petitioners to be paid by the 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 Chief Judicial Magistrate, Banka in connection with Katoria P.S. Case No. 120 of 2021 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/-

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

