

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12711 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- KARPI District- Jehanabad

Lakshuman Sao @ Lakshman Sao @ Lakshman Kumar Son of Late Rajendra
Sao Resident of Village- Karpi, P.S.- Karpi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Mr. Ashok Kumar, learned counsel for the

petitioner and Mr. Md. Ataur Rahman, learned APP for the

State.

2. The petitioner is apprehending his arrest connection with Karpi P.S. Case No. 77 of 2023, F.I.R. dated 06.03.2023 registered for the offences punishable under Sections 448. 341. 324. 308. 354. 379 and 504/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons have assaulted the informant by means of iron rod on the head of the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely



implicated in the present case due to admitted land dispute between the parties and the informant is agnates of the petitioner. He further submits that from perusal of the F.I.R. it appears that although there is specific allegation against the petitioner that he along with other co-accused persons have assaulted the informant but there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against the petitioner and others.

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

6. Considering the aforesaid facts that the petitioners having clean antecedent and there is no specific allegation of any assault or overt act against the petitioner, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IIIrd, Arwal in connection with Karpi P.S. Case No. 77 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following



conditions :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(Rajesh Kumar Verma, J)

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