

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12576 of 2024

Arising Out of PS. Case No.-359 Year-2022 Thana- PAHARPUR District- East Champaran

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Vinod Mishra S/O Late Jugul Mishra R/O Village- Kritpur, P.S.- Harsidhi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Mr. Ajay Kumar Singh, learned counsel for

the petitioner and Mr. Ajay Kumar Jha, learned APP for the

State.

2. The petitioner is apprehending his arrest
connection with Paharpur P.S. Case No. 359 of 2022, F.I.R.
dated 09.10.2022 registered for the offences punishable under
Sections 447, 341, 323, 324, 307, 379, 504, 506, 34 of the
Indian Penal Code.

3. Allegation against the petitioner is that he gave
farsha blow 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. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that as per allegation the petitioner has assaulted with farsha on the head of the informant and another co-accused persons have also assaulted the informant. Learned counsel for the petitioner further submits that there is case and counter case between the parties and both sides have received injuries and after some time both the parties have filed a compromise petition before the learned Court below and stating therein that they will not pursue the matter in future and the injury report is concerned, the same is not available on record.

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

6. Considering the facts and circumstances of the case, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Paharpur P.S. Case No. 359 of 202, 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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