

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17878 of 2024

Arising Out of PS. Case No.-61 Year-2023 Thana- KARPURIGRAM District- Samastipur

Sanjeev Kumar S/o Late Ramdayal Singh R/o Vill - Mukundpur, P.S. -
Karpoorigram, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash, Advocate
	:	Mr.Gagandeo Yadav, Advocate
For the State	:	Mr. Shatrughan Pd.Singh, APP
For the Informant	:	Mr.Suryanarayan Roy, Advocate
	:	Mr.Ashok Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr.Ravi Prakash, learned counsel for the

petitioner, Mr.Suryanarayan Roy, learned counsel for the

informant and Mr. Shatrughan Pd.Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Karpoorigram P.S.Case No.61 of 2023,FIR
dated 08.07.2023 registered for the offences punishable under
Sections 341,448,323,325,307,354(B),379,504,506/34 of IPC.

3. Allegation against the petitioner is that he
assaulted to the informant with iron rod causing injury on her
head and nose.

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 that the petitioner has assaulted to the informant by means of iron rod on her head and nose. Further submits that it appears from the FIR that the date of occurrence as alleged in the FIR is 05.07.2023 and the present FIR has been instituted on 08.07.2023 after delay of three days without giving any explanation of delay. Further submits that both the parties are agnates and due to land dispute the present occurrence had taken place and there is no injury report available on the record which suggests that the informant has received any injury.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he assaulted to the informant by means of iron rod on her head and nose and she has received the injury.

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no injury report available on the record which suggests that the informant has received any injury, 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, Samastipur in connection with Karpoorigram P.S.Case No.61 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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