

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15664 of 2024

Arising Out of PS. Case No.-1306 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Panchu Das @ Panchanand Das S/o Late Ramgulam Das R/o vill - Tatma Toli
Shankar Chowk, P.S. - K. Hat, (Sahayak), Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-03-2024 Heard Mr. Amarendra Kumar, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with K. Hat (Sahayak) P.S. Case No. 1306 of 2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. The petitioner along with the FIR named accused persons is said to have mercilessly beaten the husband of the informant causing grievous injury and also snatched his golden chain and some money.

4. Referring to the FIR, learned counsel for the petitioner, submits that admittedly the informant is not an eyewitness to the alleged occurrence and the entire incidents had been narrated on the instigation of one Jitendra Kumar, who



was found present at the alleged occurrence. Moreover, the alleged occurrence took place on 24.11.2023 at about 07:00 PM but the present FIR was instituted on 26.11.2023. He next submitted that the enmity is writ large for the simple reason that all the family members of the petitioner have been made accused in the present case. Moreover, the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State, opposes the bail application and submits that during the course of investigation, as it appears from the impugned order, the witnesses have supported the involvement of the petitioner in the present crime. Moreover, the injury sustained to the husband of the informant is grievous in nature.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the informant is not the eyewitness to the alleged occurrence, apart from the delay in lodging of the FIR, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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, Purnea in connection with K. Hat (Sahayak) P.S. Case No. 1306 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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