

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17907 of 2024

Arising Out of PS. Case No.-538 Year-2023 Thana- LAKHISARAI District- Lakhisarai

CHUNNU SINGH @ CHUNCHUN KUMAR Son of Ranjeet Kumar @
Bhullu Singh Residence of Village-Rampur, P.S.-Surajgarha, Dist-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-03-2024 Heard Mr.Binay Kumar, learned counsel for the

petitioner and Mr.Arun Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai P.S.Case No.538 of 2023, FIR dated 19.07.2023 registered for the offences punishable under Sections 341, 323, 307, 448, 379, 504, 506 of IPC and Section 25(1-b)a,26,35 of Arms Act.

3. Allegation against the petitioner is that he alongwith other co-accused person assaulted to the informant by means of lathi causing injury on his head.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the



petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR that the petitioner and other co-accused person have assaulted to the informant by means of lathi, although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation the petitioner that he alongwith co-accused person have assaulted to the informant and apart from that the petitioner carries one more case other than the present one but fairly submits that he is on bail in the said case, as mentioned in para-3 of the anticipatory bail petition.

6. Considering the aforesaid facts, 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, Lakhisarai in connection with Lakhisarai P.S.Case



No.538 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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