

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19340 of 2024

Arising Out of PS. Case No.-360 Year-2023 Thana- KADAMKUAN District- Patna

Santosh Patel son of Sri Jai Shankar Patel Resident of Village- Patel Hostel
Bhikhna Pahadi PS - Kadamkuan Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 16-04-2024 1. Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel appearing on behalf of the
informant.
2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 147, 148, 149, 341, 323,
307, 384 and 379 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and had completed his studies
recently in the year 2022. It is further submitted that petitioner has
been falsely implicated in the instant case by the informant with
general and omnibus allegation of assault. It is next submitted that
the informant alleges that on 10.06.2023 when he was going for
some personal work after closing the academy, he was intercepted by
the accused persons including the petitioner along with 30 unknown
persons and was badly assaulted by iron rod, danda and pistol
causing injury. It is also submitted that though there is allegation of



assault and the informant has also suffered injury but then the allegation of assault is not specific. It is further submitted that petitioner presently is preparing for competitive examination and if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened criminal.

4. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner and submit that though there is no specific allegation against the petitioner of assaulting the informant but then allegation of assault against the accused persons including unknown is collective and the informant was assaulted brutally which led his hospitalization at PMCH. It is further submitted that if the petitioner is granted the privilege of anticipatory bail in that event chances are bright that petitioner may abscond.

5. Learned counsel for the petitioner, at this stage, submits that petitioner will not abscond rather will cooperate in the investigation.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court in connection with Kadamkuan P.S. Case No. 360 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father Jai Shankar Patel.

8. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned court below that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required by the investigating officer, the learned court below shall be at liberty to cancel the bail bonds of the petitioner after recording reasons and shall also take all coercive steps to ensure that petitioner is behind bar.

9. Let a copy of this order be sent to the concerned police station through the learned court below.

(Satyavrat Verma, J)

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