

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18387 of 2024

Arising Out of PS. Case No.-245 Year-2020 Thana- AMNAUR District- Saran

Rohit Singh S/O Vinod Singh, R/O Village- Rasulpur, P.S- Amnour, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr. Dhananjay Kumar Tiwary, the learned counsel for the petitioner and Mr. Kanhiya Kishor, the learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Amnour PS Case No. 245 of 2020, FIR dated 30.06.2020, registered for the offences punishable under Sections 341, 323, 324, 307, 354, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner variously armed came at the house of the informant and started assaulting her. It further alleged that the petitioner gave *daab* blow and co-accused Amarjeet Singh gave *farsa* blows on the head of the informant causing serious head injuries. It is further alleged that the co-accused persons assaulted the family members of the informant causing injuries



and they also snatched gold chain from the neck of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per allegation levelled in the FIR, the petitioner has assaulted to the informant and although she has received injury, but the injury report of the informant suggests that injury is simple in nature. He lastly submits that due to admitted land dispute the present occurrence has taken place.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent, there is admitted land dispute between the parties and the injury report of the informant suggests that injury is simple in nature, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Saran at Chapra, where the case is pending in connection with **Amnour PS Case No. 245 of 2020**, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(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 trial Court 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 trial Court 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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