

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24003 of 2024

Arising Out of PS. Case No.-162 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

KRISHNA KUMAR @ KRISHAN KUMAR Son of Jageshwar Ram
Resident of Village-Pranpur Barari, P.S.-Hajipur Sadar, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bipin Chandra

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Hajipur Sadar P.S. Case No. 162 of 2021 registered under Sections 323, 341, 379, 504 and 366(A)/34 of the Indian Penal Code lodged on 18.02.2021 by the informant, Shila Devi.

3. As per the prosecution story, the allegation is that the when informant was out of her house, the petitioner entered, the informant tried to stop but snatched '*mangalsutra*' and fled away along with the daughter. When this was complained to his house, got abused instead. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the FIR has been exaggerated, he had no role to play, is a student and has been unnecessarily implicated.



5. Though, learned APP for the State, on the other hand, opposes the prayer for anticipatory bail, this Court has taken note of the observation made by the learned Sessions while rejecting the anticipatory bail application in which it has been incorporated that the petitioner was kept confined by the informant and her relative for long time but anyhow he succeeded in himself freed.

6. Taking into account the aforesaid facts as also that the petitioner is a student, 22 years of age, do not have criminal antecedent, FIR lodged and he will be facing the trial, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 162 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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