

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23394 of 2024**

Arising Out of PS. Case No.-1 Year-2024 Thana- SAKRA District- Muzaffarpur

PAWAN KUMAR SON OF RAJENDRA RAI RESIDENT OF VILLAGE -
RAM NAGAR, P.S. - SAKRA, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Sakra P.S. Case No. 01 of 2024 dated
01.01.2024 registered for the offence/s punishable u/ss 341, 323,
325, 307, 379, 504, 506 read with section 34 of the Indian Penal
Code.

3. As per the prosecution case, the petitioner and the
co-accused persons along with 4-5 unknown miscreants are
alleged to have surrounded the informant and in the meantime,
the accused Vikash Kumar fired in the air and thereafter, all the
accused persons started assaulting him with iron rod causing
injury on his head, chest and his both legs were got fractured. It



is further alleged that Vikash Kumar snatched mobile phone and cash of Rs. 17000/- from the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of eight days in lodging the FIR. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has five other criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur (East) in connection with Sakra P.S. Case No. 01 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition/s:-

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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