

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21463 of 2024

Arising Out of PS. Case No.-548 Year-2023 Thana- MADHUBAN District- East Champaran

Anil Ram Son of Late Chandrika Ram Resident of Village- Gosaipur, Ward
No. 18, P.S. Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-04-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Madhuban P.S. Case No. 548 of 2023 instituted under Sections 341, 323, 307, 379, 385, 504, 506, 34 of the Indian Penal Code lodged on 01.11.2023 by the informant, Nand Kishore Baitha.

3. As per the prosecution story, the informant alleged that on the date of occurrence when the informant came to the village to make payment to the labourers, the FIR named accused abused and the allegation against this petitioner is of giving order of assault whereafter, Guddu Kumar assaulted with rod and 'Khadiya' causing injury on his head. Further allegation against this petitioner is of demanding Rs. 5 lakh. Accordingly, the FIR.



4. Learned counsel for the petitioner submits the main allegation is against Guddu Kumar of assault. Only allegation against this petitioner is of being an order giver and demanding money which is an exaggerated version.

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the fact that injury has been attributed to Guddu Kumar, FIR lodged, he will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Madhuban P.S. Case No. 548 of 2023 to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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 bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

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

(v) 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 the bail bonds;

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

(Rajiv Roy, J)

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