

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25013 of 2024**

Arising Out of PS. Case No.-432 Year-2023 Thana- NAWANAGAR District- Buxar

Babulal Ray @ Lal Babu Ray S/o Mahlu Ray R/o Village- Badaki Bharauli,
P.S.- Nawanagar, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 01-05-2024 Heard Mr. Rajiv Ranjan Kumar Pandey, learned
counsel for the petitioner and Mr. Harendra Prasad, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nawanagar P.S. Case No. 432 of 2023, F.I.R. dated 25.11.2023 for the offences punishable under Sections 341, 323, 308, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, this petitioner has abused and assaulted the informant while she was collecting straw due to which she sustained injury on her neck.

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 the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offences as alleged in the F.I.R. He further submits that the only allegation against the petitioner is that he has assaulted the informant by means of lathi due to which she sustained injury but the injury report of the informant suggests that the injury is simple in nature.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the injury of the informant is simple in nature, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on 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 Chief Judicial Magistrate, Buxar in connection with Nawanagar P.S. Case No. 432 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

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 court below 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 court below 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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