

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25678 of 2024

Arising Out of PS. Case No.-680 Year-2023 Thana- MAJHAULIA District- West Champaran

Khushi Alam @ Mogal Son Of Hasmat Gaddi Resident Of Village -
Chailabhar, P.S. - Majhauria, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-05-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 447, 341, 323, 324, 307, 379, 504, 506 and 34 of the
IPC in connection with Majhauria P.S. Case No.680 of 2023.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of three cases and has been falsely
implicated in the instant case by the informant.

4. It is further submitted that petitioner and the
informant are agnates and from the side of the petitioner's also
Majhauria P.S. Case No.681 of 2023 has been instituted against
the side of the informant and others. It is further submitted no
doubt both side assaulted each other, but then on intervention of
the well-wisher the parties have compromised and the informant



does not intend to pursue the case against the petitioner. It is further submitted that the side of the informant have been granted the privilege of anticipatory bail in the case instituted by the petitioner. It is fairly submitted that no doubt one of the injury on the head is said to be grievous apart from swelling injury, but then since the informant has entered into a compromise (Annexure-3, page-20) and does not intend to pursue the case against the petitioner, as such the petitioner be granted the privilege of anticipatory bail.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhaulia P.S. Case No.680 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that the learned trial



court before accepting the bail bonds of the petitioner shall verify from the informant whether the case has been compromised or not and in the event, if the informant objects the compromise in that event, the present anticipatory bail order shall not be given effect to, but if the informant does not object the compromise the bail bonds of the petitioner shall be accepted forthwith.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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