

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25838 of 2024

Arising Out of PS. Case No.-339 Year-2023 Thana- PATAHI District- East Champaran

Susindar Das @ Surendar Das Son of Jagan Das Resident of Village- Patahi
Tola Harbhanga, Police Station- Patahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2024 Heard Mr. Sarvesh Kashyap, learned counsel for the

petitioner and Mr. Narendra Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest connection with Patahi P.S. Case No. 339 of 2023, F.I.R. dated 06.12.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506, 354(B), 379, 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he inflicted blow by sharp weapon over the head of the informant's nephew Rajnesh Das due to which his head got fractured.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that due to



admitted land dispute the present occurrence had taken place and both the parties are agnates to each other. He further submits that as per allegation in the F.I.R. the petitioner has assaulted to the nephew of the informant namely Rajnesh Das and although he has received injury but the injury report of injured person suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts that the petitioner having clean antecedent and the injury report of the injured person is simple in nature, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Patahi P.S. Case No. 339 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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