

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29670 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- SARAI RANJAN District- Samastipur

Rakesh Kumar S/o Prem Kumar Ray R/o vill - Gangsara, P.S. - Sarairanjan,
Distt. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate
For the State : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 23-05-2024 Heard Ld. counsel for the petitioner and

Ld. APP for the State.

2. The petitioner apprehends his arrest in connection with Sarairanjan P.S. Case No. 224 of 2023 dated 1.8.2023, registered for the offences punishable under Section 323, 341, 498(A) and 506/34 of the Indian Penal Code

3. As per the prosecution case, there is allegation of demand of a four wheeler vehicle and on account of non-fulfillment of the said demand, the petitioner and his family members started assaulting and torturing her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the present case has been filed on account of matrimonial discord and there is no truth in the



allegation. He further submits that the maximum punishment for the alleged offence is three years.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed, directing the petitioner above named, to be enlarged on bail in the event of his arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-III., Samastipur, in connection with Sarairanjan P.S. Case No. 224 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of Ld. trial court that the petitioner has any criminal antecedent, Ld. trial court



shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court that statement regarding previous bail petition is wrong, Ld. trial court shall cancel the bail bond of the petitioner.

S.Ali/Shailendra

(Jitendra Kumar, J)

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