

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27475 of 2024

Arising Out of PS. Case No.-250 Year-2023 Thana- LAURIA District- West Champaran

Raghwendra Panda @ Raghwendra Kumar Son of Dhiraj Panda Resident of
Village - Pandey Patti, P.S. - Lauriya, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2024 Heard Mr. Sanjeev Kumar Shrivastava, learned
counsel for the petitioner and Mr. Pawan Kumar Chaurasia,
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Lauriya P.S. Case No. 250 of 2023, F.I.R. dated 02.09.2023 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioner have assaulted the informant and her daughters by means of *lathi*, *rod* and *farsa* due to which all of them have sustained injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case due to admitted land dispute between the parties. He further submits that there is case and counter case between the parties. He further submits that as per the allegation in the F.I.R, the petitioner has assaulted the daughter of the informant due to which she has received injury but the injury report of the daughter of the informant suggests that the injury is simple in nature. He further submits that the police has submitted final form in favour of the petitioner stating that the petitioner is not sent up for trial but the learned Trial Court vide its order dated 22.01.2024 has taken cognizance against the petitioner. He further submits that the similarly situated co-accused persons, namely, Balbir Panda, Abhishek Panda @ Abhishek Kumar and Sateyendra Panda @ Sateyendra Kumar have been granted anticipatory bail by this Hon'ble Court vide order dated 18.01.2024 passed in Cr. Misc. No. 84398 of 2023.

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 nature of injury is simple and other similarly situated persons have been granted anticipatory bail by this Hon'ble Court, 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, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 250 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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