

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29220 of 2024

Arising Out of PS. Case No.-480 Year-2023 Thana- KHUSRUPUR District- Patna

Kundan Kumar Son of Nande Sao Resident of Village - Govindpur, P.S. -
Khusrupur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the State : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-05-2024 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Khusrupur PS. Case No.-480 of 2023 registered for the offences punishable under Sections 341, 323, 307, 354, 379 and 504 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is that the Informant alleged that her neighbor, Petitioner along with four others starting abusing the informant. In the meantime, the Petitioner, Kundan Kumar, assaulted the informant on her head by means of rod and one Lachhu Kumar gave a lathi blow upon the daughter of the Informant. It is further alleged that the accused persons snatched *jitia* from the



neck of the Informant.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case on account of previous enmity between the prosecution and the co-accused side. He further submits all the other co-accused have been granted anticipatory bail by the Ld. Trial Court. He further submits that even the Petitioner deserves anticipatory bail in view of the false implication and simple injury found on the person of the alleged victim.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case.

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

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below 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.-V, Patna City, in connection with Khusrupur PS. Case No.-480 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 the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds 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 the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Chandan/
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