

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31397 of 2024

Arising Out of PS. Case No.-253 Year-2022 Thana- BARUN District- Aurangabad

Sanjay Chauhan, Son of Late Thakur Chauhan, Village- Tandwa, Mansurpur
P.S.- Barun, Distict- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 06-06-2024 Heard learned counsel for the petitioner and Mr. Ram Naresh Ray, learned APP for the State.

2. The petitioner in this case is seeking pre-arrest bail in connection with Barun P.S. Case No. 253 of 2022 in which chargesheet has been submitted for the offences punishable under Sections 341, 323, 308, 504, 506 of the Indian Penal Code. He has got one criminal antecedent.

3. As per the prosecution story, on 18.06.2022 at about 03:30 P.M., the informant was going to purchase '*paneer*' from the market. When he crossed the house of this petitioner, he found him quarreling with his brother and the petitioner asked the informant to flee from there. When the informant was returning, this petitioner assaulted him with *lathi*. When the elder brother of the informant reached there, he was also assaulted.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. It is submitted that the petitioner is uncle of the informant. It is further submitted that there is case and counter case between the parties with regard to the same occurrence. It is further submitted that the injuries found on the body of the prosecution are simple in nature.

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

6. Having regard to the submissions that the petitioner is uncle of the informant, they seem to have been indulged in a quarrel in which the alleged occurrence has taken place and there being case and counter case with regard to the same occurrence and further that the injuries found on the body of the prosecution party are simple in nature, the petitioner has got one criminal antecedent in which he is on bail, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above-named shall be released on bail in connection with Barun P.S. Case No. 253 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Aurangabad subject to the



conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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