

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35155 of 2024

Arising Out of PS. Case No.-117 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Shivu verma @ Shibu Verma son of Ganesh Verma Village- Kaindi Halsi Ps-
Halsi Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ansh Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Lakhisarai Mahila P.S. Case No. 117 of 2023 registered under Sections 341, 323, 448, 307, 354A, 379 and 504/34 of the Indian Penal Code lodged on 12.12.2023 by the informant, Rashmi Devi.

3. As per the prosecution story, the informant alleged that on the pretext of her son harassing the daughter of the informant, after abuses, the petitioner grabbed her by hair as also giving injury on the head by wooden rod. This followed the FIR.

4. Learned counsel for the petitioner submits that though the allegation of assault is on the petition, a perusal of



the learned session's Judge order would show that the injury has been found to be simple in nature. Further, he do not have criminal antecedent and there is case and counter case.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that the allegation of assault on the head.

6. Though allegation of assault is there, the injury has been found to be simple in nature, there is case and counter case and the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 117 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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