

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35226 of 2024

Arising Out of PS. Case No.-424 Year-2023 Thana- BABUBARHI District- Madhubani

Sudhir Gosai Son of Dhani Lal Gosai Resident of Village- Babubarhi P.S.-
Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-06-2024 Heard Mr. Shailendra Kumar Jha, learned counsel
for the petitioner and Mr. Ram Naresh Ray, learned A.P.P. for
the State.

2. The petitioner in this case is seeking anticipatory
bail in connection with Babubarhi P.S. Case No. 424 of 2023
registered for the offences punishable under Sections 341, 323,
307, 504 read with Section 34 of the Indian Penal Code. He has
no criminal antecedent.

3. As per the prosecution story, the allegation against
the petitioner is that he had assaulted the informant and her
husband by *danda* on his head with an intention to kill him, due
to which, blood started oozing out.

4. Learned counsel for the petitioners submits that the
petitioner is innocent and has been falsely implicated in this



case. Learned counsel submits that there is no specific allegation of assault against the petitioner and he has committed no offence as alleged in the FIR. It is submitted that the petitioner has no criminal antecedent.

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

6. Having regard to the submission that both the parties are co-sharers and in the alleged quarrel between the parties which had taken place due to altercation between the children, one simple injury has been caused to the husband of the informant, the petitioner has otherwise no criminal antecedent, hence, 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 Babubarhi P.S. Case No. 424 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Madhubani, 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 bond in terms of the above-mentioned order shall no be delayed for the purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

sachin/-

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