

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40299 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- MINAPUR District- Muzaffarpur

Arjun Kumar Son of Late Bindeshwar Prasad Resident of Village-Mahdeiyar,
P.S- Minapur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Mr.Zainul Abedin,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2024 Heard Mr.Raju Kumar, learned counsel for the

petitioner and Mr.Zainul Abedin, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Meenapur P.S.Case No.338 of 2023, FIR dated 08.08.2023 registered for the offences punishable under Sections 147,148,149,341,323,504,506,354(B),307 of IPC.

3. Allegation against the petitioner is that he assaulted to the informant by means of iron rod causing injury on her head.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case and the present case is counter blast of Meenapur P.S.Case No.335 of 2023 filed by co-accused



person, namely, Mukesh Kumar against the informant and his family members. Further submits that although there is specific allegation against the petitioner that he assaulted to the informant and the date of occurrence as alleged in the FIR is 04.08.2023 but the informant has produced the injury report which suggests that the same was issued on 05.09.2023 after one month of the date of occurrence which suggests that the presence of the incised wound on the parietal region of the head of the informant.

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

6. Considering the aforesaid facts, petitioner has clean antecedent and there is case and counter case, let the petitioner, above named, in the event of his 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 learned J.M. 1st Class, Muzaffarpur East in connection with Meenapur P.S. Case No.338 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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)

Nitesh/-

U		T	
---	--	---	--

