

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42288 of 2024

Arising Out of PS. Case No.-200 Year-2023 Thana- BALIYA District- Begusarai

Prithivi Raj Kumar @ Chhotu @ Chhotu Kumar Son of Brahmdeo Paswan
R/O Vill.- Chhoti Ballia, Ward No. 01, Milkichak, Dist.- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-07-2024 Heard Mr. Arjun Prasad, learned counsel for the
petitioner and Mr. Dinesh Singh, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Ballia P.S. Case No. 200 of 2023, F.I.R. dated 24.07.2023 registered for the offences punishable under Sections 147, 341, 323, 324, 504, 379 and 354 of the Indian Penal Code.

3. Allegation against the petitioner is of dragging the informant by catching her hair and snatching the gold locket from the neck of the informant.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that there is specific allegation against the petitioner that he assaulted the informant by catching her hair and snatching the gold locket from the informant and although the informant has received injury but the petitioner has been made accused in the present case due to admitted land dispute between the parties.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and due to admitted land dispute the present occurrence had taken place, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 200 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(Rajesh Kumar Verma, J)

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