

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47860 of 2024

Arising Out of PS. Case No.-408 Year-2023 Thana- MANJHAGARH District- Gopalganj

Jamaluddin Son of Gayasudin Mian Resident of Vill- Koini Khantola, P.S.-
Manjhgarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2024 Heard Mr. Rajeev Ranjan, learned counsel for the

petitioner and Mr. Rajendra Prasad Nat, learned APP for the

State.

2. The petitioner is apprehending his arrest connection with Manjhagarh P.S. Case No. 408 of 2023, F.I.R. dated 17.11.2023 registered for the offences punishable under Sections 341, 323, 325, 307, 504, 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he committed mar-pit with the informant for putting garbage in front of the informant's house.

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 although



the petitioner is named in the F.I.R. but it appears from the F.I.R. itself that there is no accusation of any assault or overt act attributed against the petitioner rather there is specific allegation against co-accused person namely Khalid Rana who assaulted with iron rod upon the informant's wife and the son of the informant.

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 there is no accusation of any assault or overt act attributed against the petitioner, 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, Gopalganj in connection with Manjhagarh P.S. Case No. 408 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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