

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48478 of 2024

Arising Out of PS. Case No.-129 Year-2023 Thana- MANSI District- Khagaria

1. Baddo Sada S/o Jogi Sada R/o Village_ Khirniya, P.S. Mansi, Distt. Khagaria
2. Bablu Sada S/o Jhiloriya Sada R/o Village_ Khirniya, P.S. Mansi, Distt. Khagaria
3. Jogi Sada S/o Moti Sada R/o Village_ Khirniya, P.S. Mansi, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-08-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Mansi P.S. Case No. 129/2023 instituted under Sections 341, 323, 307, 379, 504, 506, 34 of the Indian Penal Code lodged on 04.05.2023 by the informant, Anjay Kumar.

3. As per the prosecution story, the informant alleged that the accused persons came and started assaulting. The allegation is mainly against the Munna Sada of giving iron rod blow on the head causing injury and also snatching the gold chain. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that though the petitioner named in the FIR, a perusal of the same



would show that the assault theory as also snatching is attributed to Munna Sada. The last submission is that they do not have criminal antecedent.

5. Taking into account the allegation that has come in the FIR which is mainly against Munna Sada, these petitioners do not have criminal antecedent and beside the presence shown in the FIR, no role is attributed to them, this Court is inclined to extend them the privilege of anticipatory bail. If however, it is found that any of them has criminal antecedent, the order shall become infructuous.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Mansi P.S. Case No. 129/2023 to the satisfaction of learned Chief Judicial Magistrate, Khagaria subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

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

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners 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 the bail bonds;

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

(Rajiv Roy, J)

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