

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49655 of 2024

Arising Out of PS. Case No.-532 Year-2023 Thana- MINAPUR District- Muzaffarpur

Shankar Rai S/o- Kishunder Rai Village- Vashudev Chapra Ps- Minapur
District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brahmaputra Singh, Advocate
		Ms. Poonam Kumari, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Minapur P.S. Case No. 532 of 2023, dated 10.12.2023, registered for the offences punishable under Sections 341, 307, 504, 447, 323/34 of the Indian Penal Code.

3. As per the allegation, there was altercation between the informant and the accused side on a disputed land causing injury to the victims of the case.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, there was altercation on a disputed land resulting



into injury to both sides on account of free fight. The petitioner's side has also lodged Minapur P.S. Case No. 533 of 2023 for offences punishable under sections 34, 323, 379, 447, 448, 504, 341 of the I.P.C.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances as well as the case and counter case and injury of both sides, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate 1st Class (East), Muzaffarpur, in connection with Minapur P.S. Case No. 532 of 2023, subject to the conditions as laid down under Section 438



(2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Amandeep/-
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