

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52568 of 2024

Arising Out of PS. Case No.-287 Year-2023 Thana- GORIAKOTHI District- Siwan

1. Ritesh Mishra @ Ritesh Kumar Mishra Son of Prakash Mishra R/O Vill.- Sarari, P.S.- Gorekothi, Dist.- Siwan
2. Rahul Mishra @ Rahul Kumar Mishra @ Chhotu Son of Late Ramesh Mishra @ Late Rameshwar Mishra R/O Vill.- Sarari, P.S.- Gorekothi, Dist.- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2024 Heard Mr. Krishna Kant Singh, learned counsel for the petitioners and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Goreakothi P.S. Case No. 287 of 2023, F.I.R. dated 21.10.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 379/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 19.10.2023 the informant after withdrawing money from the Aadhar card was going to his brother-in-law then the accused petitioners stopped him and started snatching his money and due to that the accused petitioners assaulted the informant causing



sustained injury.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that there is specific allegation against these petitioners that they have assaulted to the informant and although the informant has received injury but the injury report of the informant suggests that the injury is simple in nature.

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

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and the injury report of the injured person suggests that the injury is simple in nature, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan in connection with Goreakothi P.S. Case No. 287 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, thier bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)

Ibrar//-

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

