

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51394 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- BELHAR District- Banka

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Tushar Kumar @ Tushar Bharti S/o Umesh Singh R/o vill - Kumrel
(Kumrail), P.S. - Belhar, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-08-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Belhar P.S. Case No. 50 of 2024 for the offence under Sections 341, 323, 308, 504 and 506 of the I.P.C. lodged on 14.02.2024 by the informant, Manjeet Kumar.

3. As per the prosecution story, the informant alleged that due to dispute in playing cricket in which both the petitioner and informant were part of, had some issue whereafter allegation is that this petitioner gave a bat blow to the informant causing injury on his head. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that a perusal of the injury report would show that the same is simple in nature. He further submits that the petitioner is a young student, having no criminal antecedent as such, he may be



considered for anticipatory bail.

5. Learned APP opposes the prayer.

6. Taking into account the fact that injury has been found to be simple in nature, the petitioner is young, he do not have criminal antecedent and putting him with dreaded criminals in the jail will serve no purpose, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 50 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner 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;

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

(Rajiv Roy, J)

Adnan/-

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