

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54927 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- JAMOBABAZAR District- Siwan

PUTAN SINGH @ PRABHA SHANKAR S/O PRAVENDRA SINGH R/O
VILLAGE- BARHOGA PURUSHOTTIM, P.S- JAMO BAZAR, DISTT.-
SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jamo Bazar P.S. Case No. 251 of 2023 for the offence under sections 341, 342, 447, 323, 308, 379, 504, 506/34 of the I.P.C. lodged on 29.10.2023 by the informant, Amit Kumar Yadav.

3. As per the prosecution story, the informant alleged that while he was taking '*prasad*' near Krishna Pan Bhandar, accused persons including this petitioner came and attacked. The allegation against this petitioner is of giving iron rod blow to the informant on his head causing injury and they further snatched Rs. 3000/- from his pocket. The reason has been assigned that he had highlighted the irregularity in the construction of the bridge made on the recommendation of a



local MLA which infuriated him/associates. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that though allegation of assault on this petitioner is there, a perusal of the order of learned Additional Sessions Judge-5th, Siwan would show that the same has been found to be simple in nature. Further submission is that the petitioner has got no criminal antecedent. The last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that the injury has been cause to the informant though it is simple in nature.

6. Considering the submissions as also the fact that injury has been found to be simple in nature and the petitioner has got no criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.



5,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the trial court.

7. Let the petitioner, above named, 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 to the satisfaction of Sri Alok Kumar, learned Judicial Magistrate, Siwan in connection with the aforesaid P.S. Case , subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

(v) 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)

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