

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58005 of 2024**

Arising Out of PS. Case No.-7 Year-2024 Thana- SAHEBPUR KAMAL District- Begusarai

Gaurav Kumar @ Saurav Kumar Son of Ashok Yadav @ Ashok Prasad Yadav
R/V- Village- Hira Tol, P.S.- Sahebpur Kamal, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
Mr. Ranjeet Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 224-09-2024
1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the IPC in connection with Sahebpur Kamal P.S. Case No.07 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant that on 06.01.2024 petitioner along with other accused persons



came and started assaulting and abusing her husband, further Ranju Devi gave orders, on which petitioner and Tinku assaulted her husband by lathi and rod, further the occurrence was committed in presence of Uttam Kumar.

4. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent. It is next submitted that petitioner and the informant are neighbors and are having dispute relating to passage. It is next submitted that the passage was blocked by the side of the informant, as such an altercation had taken place in which both side assaulted each other. It is also submitted no doubt petitioner is alleged to have assaulted along with Tinku on head of the informant, causing injury and from perusal of the order impugned it would manifest that the injuries suffered by the injured is grievous in nature and is on vital part of the body also, but then the blow was not repeated. It is further submitted that it might be a possibility that since an altercation started as such on the spur of the moment the occurrence took place, but then petitioner is not a criminal, rather he has applied for appointment as a constable and the exam is on 28.08.2024 as would manifest from Annexure-2 to the anticipatory bail application.

5. The learned counsel next submits that if the



petitioner is send to judicial custody his entire career would be jeopardized and chances are bright that he may come in contact with hardened criminals. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., IV, Begusarai in connection with Sahebpur Kamal P.S. Case No.07 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. However, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner forthwith



and to take all coercive steps to ensure that petitioner is behind bars.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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