

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60537 of 2024

Arising Out of PS. Case No.-21 Year-2023 Thana- ISUAPUR District- Saran

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Pawan Kumar @ Pawan Kumar Yadav S/O Sunil Rai R/o -Vill.- Chakahan
,P.S.-Isuapur, District -Saran at Chhapra .

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rananjay Kumar

For the Opposite Party/s : Ms.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 143, 341,
323, 324, 325, 307, 379, 504, 506 and 34 of the Indian Penal
Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a young boy
aged about 20 years and has been falsely implicated in the
instant case with an allegation that he assaulted the informant by
knife causing injury, while other accused persons also assaulted
the informant and others, as detailed in the FIR.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant for reasons best known when he was not even present at the place of occurrence. It is also submitted that injury report prepared by the P.H.C. Isuapur was challenged in Cr.W.J.C No. 947 of 2023 on the allegation that doctors had prepared a false injury report, thereafter a Medical Board of four doctors was constituted and they examined the injury of the injured and they came to a considered conclusion that the injury suffered by the injured is grievous in nature caused by hard and blunt substance as would manifest from Annexure-4 to the anticipatory bail application. Learned counsel submits that allegation of assault by knife gets falsified by the report of Medical Board wherein it is opined that the injury caused by hard and blunt substance. It is also submitted that petitioner, being student, has been falsely implicated in the instant case in order to coerce other family members into submission. It is next submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. 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 trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Isuapur P.S. Case No. 21 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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