

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60137 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- JAHANABAD District- Jehanabad

Chandan Kumar S/O Mr. Pramod Kumar @ Pramod Sharma R/O Village-
Lodipur, P.S- Hulasganj, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-09-2024 Heard Mr. Ajay Thakur, learned counsel for the

petitioner and Mr. Ashok Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Jehanabad (Town) P.S. Case No. 64 of 2024, F.I.R. dated 22.01.2024 registered for the offences punishable under Sections 341, 323, 325, 307, 379, 504/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted to the informant by means of iron rod on his head.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that although there is specific allegation that he assaulted to the informant by



means of iron rod on his head but the injury report of the informant suggests that the injury which was found on the head is simple in nature and the injury which was on the nose is grievous in nature which was inflicted by co-accused persons namely Gunjan Kumar and Rajiv Kumar.

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

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the injury inflicted upon the informant by the petitioner is simple in nature, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Town) P.S. Case No. 64 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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)

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