

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60435 of 2024**

Arising Out of PS. Case No.-48 Year-2024 Thana- MATIHANI District- Begusarai

Balendra Singh @ Balindra Singh @ Balendra Prasad Singh Son of Late Jado Singh Village- Ramdiri Lovarchak Tola, Ward No.6, P.S.- Matihani, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vinay Mistry, Advocate  
For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP  
Mr. Akash Shankar, Advocate

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      12-09-2024      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 147, 341, 323, 307, 379 and 34 of the IPC in connection with Matihani P.S. Case No.48 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on order of Balindra (Petitioner) assaulted her son Keshav repeatedly by a Kudal causing injury on head and nose and when he fell other accused also assaulted him, thereafter, Raushan assaulted her son Aman by lathi, causing injury on hand, it is next alleged that Ashok assaulted her by khanti,



causing injury above the left eyebrow on the forehead, thereafter, Reena, Rishu Kumar and Pinki also assaulted her, thereafter, it is alleged that the accused persons assaulted her brother-in-law causing injury, further alleges that Sanjay was assaulted by father-in-law of Ashok by lathi, causing fracture of hand, thereafter, Prince and Pranav assaulted Ajay by lathi and rod causing injury on both hands and thumb and Rishu snatched chain from her neck worth rupees thirty thousand.

4. The learned counsel appearing on behalf of the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner has been implicated in the instant case as an order giver. It is further submitted that it absolutely does not stand to reason that had the petitioner given orders to the accused to jump from the 14<sup>th</sup> floor whether they would have jumped, but then it is very easy to implicate by alleging that the occurrence took place at the instance of the accused when petitioner admittedly is a person with clean antecedent.

5. The learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioner and submits that petitioner has not approached this Court with clean hands, it is submitted that petitioner has



antecedent of one case, but then at para-3 it has been pleaded that petitioner is a person with clean antecedent, but then is not a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that no specific allegation of assault is alleged against him.

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 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 Judicial Magistrate, Ist Class, Begusarai in connection with Matihani P.S. Case No.48 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

8. The learned counsel appearing on behalf of the



informant at this stage submits that the criminal antecedent would be produced before the learned Trial court at the time of surrendering of the petitioner or before.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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