

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67730 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- PARWALPUR District- Nalanda

1. Mahendra Ravidas S/o Late Meghu Mochi @ Meghu Ravidas

2. Danish Kumar @ Danish S/o Mahendra Ravidas R/o Village- Bangpur, P.S.- Parwalpur, District- Nalanda, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Kumar Raj, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-10-2024 Heard Mr.Indrajeet Kumar Raj, learned counsel for the petitioners and Mr.Dinesh Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Parwalpur (Nalanda) P.S.Case No.43 of 2024, FIR dated 27.03.2024 registered for the offences punishable under Sections 120B,147,149,341, 323, 307 & 306 of the Indian Penal Code.

3. The prosecution case, in short, is that while enjoying the festival Holi in Dalit-Tola on the call of informant friend, Mahendra Ravidas assaulted on the head of the informant by means of lathi in some dissension produced at the place of occurrence. Informant fainted and brought to the Sadar Hospital.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. From a bare perusal of the FIR it appears that the FIR is in two parts. In 1st part, there is direct and specific allegation against petitioner No.1 that he assaulted to the informant and in the 2nd part there is general and omnibus allegation against all the accused persons including petitioner No.2 and as per FIR allegation against petitioner No.1 is that he assaulted with Lathi to the informant. Although the informant has received injury but the injury report of the informant suggests that the injury is simple in nature and as per FIR allegation against petitioner No.2 is that he alongwith other co-accused persons assaulted to the friend of the informant, namely, Harsh Raj @ Bholu.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent and injury inflicted upon the informant is simple in nature and there is no specific allegation against petitioner No.2, let the petitioners, above named, in the event of their 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 (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Hilsa, Nalanda in connection with Parwalpur (Nalanda) P.S. Case No.43 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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