

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67384 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- Hathiyav District- Sheikhpura

Harishchandra Paswan Son of late Ramu Paswan R/o Village- Badshahpur,
P.S.- Hathiyawan, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-10-2024 Heard Mr. Pramod Kumar, learned counsel for the
petitioner and Mr. Kalyan Shankar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Hathiyawan P.S. Case No. 26 of 2024, F.I.R. dated 15.05.2024 registered for the offences punishable under Sections 341, 323, 147, 148, 149, 307, 354, 379, 504 and 506 of the Indian Penal Code.

3. Allegation against the petitioner is that he has assaulted the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case and there is case and counter case between the parties. He further submits that from perusal of the F.I.R. it appears that there is specific allegation against the



petitioner that he assaulted to the informant but from perusal of the injury report of the informant which suggests that *“According to NCCT brain report is normal”*.

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 there is case and counter case between the parties and the injury report of the informant suggests that according to NCCT brain report is normal, 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 District & Sessions Judge, Sheikhpura in connection with Hathiyawan P.S. Case No. 26 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)

Ibrar//-

U		T	
---	--	---	--

