

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68135 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- UPHARA District- Aurangabad

Sukhdeo Paswan S/o- Mungeshwar Paswan Resident of Village- Adari, P.S.
Uphara, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Uphara P.S. Case No. 11 of 2024 for the offence under Sections 341, 323, 325, 354, 504 and 34 of the I.P.C. lodged on 11.02.2024 by the informant, Shanti Devi.

3. As per the prosecution story, the informant alleged that when her nephew was going to his friend's place for bringing books, the petitioner snatched the key of the bike and also assaulted. When the informant and her daughter went to the place, they were also assaulted which led to treatment and the FIR.

4. Learned counsel for the petitioner submits that injury report clearly shows that those are simple in nature and there was a minor scuffle between the parties. Further, the submission is that without accepting the allegation and/or the outcome of the present



petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs.. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Considering the submission put forward by the parties as also the injury which is swelling of the body, according to the petitioner, are simple in nature, FIR lodged and will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the learned Trial Court at the time of execution of bail bond.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Aurangabad in connection with Uphara P.S. Case No. 11 of 2024 subject to the conditions as laid



down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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