

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63624 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- BASANTPUR District- Siwan

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Pramod Ray S/o Nageshwar Rai @ Nageshwar Ray R/o Village- Bala Kothi,
PS- Lakari Naviganj, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 17-12-2024 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has antecedent of six cases, but then out of six cases he has been acquitted in four cases. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner has been falsely implicated in the instant case, thus submitted Final Form No. 124 of 2024 dated 15.02.2024 exonerating the petitioner of the charges, but then the learned Magistrate differing with the police report took



cognizance under various sections of the IPC including Section 307 of the IPC.

4. The learned counsel for the petitioner next submits that when one Investigating Agency after threadbare investigation came to a considered conclusion that petitioner is innocent whether it would be prudent for this Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that police after threadbare investigation submitted final form in favour of the petitioner exonerating him of the allegation.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Basantpur P.S. Case No. 10 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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