

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62749 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- DUMRA District- Sitamarhi

MD. FAISAL son of Ahmad Reja @ Md. Ahmad Reja Village- Kethariya Ps-
Dumra Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2024 Heard Mr.Ranjeet Kumar Mishra, learned counsel
for the petitioner and Mr.Tapeshwar Sharma, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Dumra P.S.Case No.01 of 2023,FIR dated 02.01.2023 registered for the offences punishable under Sections 147,149,341,323,324,307,504 of IPC.

3. Allegation against the petitioner is that he inflicted assault to Aarif, son of the informant, by means of knife on his chest, causing cut and bleeding injury.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence



as alleged in the FIR. Further submits that due to land dispute, the present occurrence had taken place and there is case and counter case between the parties and as per FIR the allegation against the petitioner is that he inflicted upon the son of the informant, namely, Aarif, although injury report suggests that he has received injury but the final injury report has not come as yet.

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

6. Considering the aforesaid facts, 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No.01 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his/her 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)

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