

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64039 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- NATWAR District- Rohtas

Krishna Kumar Son of Late Akshay Kumar @ Akshay Prasad R/o village and
P.S. - Natwar, Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-02-2024 Heard Mr. Nagendra Upadhyay, learned counsel for
the petitioner and Mr. Mithlesh Kumar Khare, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Natwar P.S. Case No. 84 of 2023, F.I.R. dated
24.05.2023 for the offences punishable under Sections 341, 323,
354, 379, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, this petitioner has
assaulted the daughter of the informant and also snatched Rs.
2,500/- and a golden chain from her.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not



committed any offences as alleged in the F.I.R. He further submits that as per the allegation in the F.I.R the petitioner has assaulted the daughter of the informant but the injury report suggests that she received total 4 injuries and all the injuries are simple in nature where one injury is caused by sharp object and rest others are caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation of assault against the petitioner and apart from that the petitioner carries 2 criminal antecedents other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in all the pending cases.

6. Considering the aforesaid facts and circumstances and the fact that the injuries are simple in nature and due to petty disputes the present occurrence has taken place, let the petitioner, above named, in the event of 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 the learned Judicial Magistrate- 1st Class, Bikramganj (Rohtas) in connection with



Natwar P.S. Case No. 84 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 absence on two consecutive dates without sufficient reason, his 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 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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