

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67385 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- JAHANABAD District- Jehanabad

Kumud Kant Son of Late Jitendra Prasad Singh Resident of Village -
Daulatpur, P.S. - Jehananbad, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Navin Prasad Singh, Advocate
For the Informant	:	Mr. Shashank Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-10-2024 Heard Mr. Navin Prasad Singh, learned counsel for the petitioner, Mr. Shashank Kumar Singh, learned counsel for the Informant and Mr. Surendra Prasad Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Jehanabad Town (Karauna O.P.) P.S. Case No. 21 of 2024, F.I.R. dated 08.01.2024 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted twice on the informant's head and on the informant's left hand as a result of which he sustained fracture injury.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely 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 offence as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that due to *rasta* the present occurrence had taken place and there is case and counter case between the parties. He further submits that although 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 the informant has received five injuries but out of five injuries, four injuries are simple in nature and one injury suggests that it is grievous in nature due to “X-Ray plate shows displaced fracture in the shaft of left humerus” and that is not on the vital part of the body.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner and apart from that the petitioner carries one more case other than the present one.

6. Considering the facts and circumstances of the case, 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 Chief Judicial Magistrate, Jehanabad in connection with Jehanabad Town (Karauna O.P.) P.S. Case No. 21 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)

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