

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69073 of 2023

Arising Out of PS. Case No.-742 Year-2009 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Pintu Kumar Ram @ Ujjawal Kumar Son Of Sri Rang Kumar Ram, R/O Vill
- Dhadhania, P.S. - Bhabua, Distt. - Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akchaibar Ram Son of Sri Ram Kuwar Ram R/o vill - Dhadhania, P.S. -
Bhabua, Distt. - Kaimur (Bhabua).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 27-02-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner apprehends his arrest, in connection
with Complaint Case No. 742 of 2009 dated 29.06.2009,
registered for the offences punishable under Sections 380 and
498/34 of the Indian Penal Code.

3. The prosecution case as emerges from the FIR is
that the petitioner along with the wife of the complainant
entered into the house of the complainant and took away cash,
jewellery and other articles on the point of *katta* and threatened
to kill him.

4. Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that there is enmity between the petitioner and the complainant. He further submits that mother of the present petitioner has already lodged a criminal complaint against the complainant herein and others and alleged offence is petty in nature.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances and alleged offence is petty in nature, this application is allowed, directing the petitioner, above named, to be enlarged on bail in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate Ist Class, Kaimur at Bhabhua, in connection with



Complaint Case No. 742 of 2009, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has given wrong statement regarding his criminal antecedents, Ld. court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

9. Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J.)

Ravishankar/
Shoaib-

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