

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71690 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- SAHPUR District- Patna

Mohan Ray @ Mohan Rai Son of Late Hiralal Rai Resident of village-
Mathiyapur, Shekhuchak, PS- Shahpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr.Vijay Kumar, Advocate
For the State : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Shahpur P.S. Case No. 120 of 2024 dated
28.03.2024 registered for the offences punishable under
Sections 341, 323, 338, 307, 379, 354(a), 427, 504 and 506/34
of the Indian Penal Code.

3. As per allegation, the petitioner has allegedly
assaulted the informant who is his cousin brother by bricks
resulted into head injury.

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 case and counter case filed
by the petitioner's side against the informant side for the



offence punishable under Section 307 and other allied Sections of the Indian Penal Code.

5. 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.

6. It has further been stated in paragraph no.2 of the bail petition that the petitioner has two criminal antecedents.

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

8. Considering the aforesaid facts and circumstances, case and counter case, **this petition 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 Smt. Kanchan Prabha, learned Judicial Magistrate, 1st Class, Danapur/Incharge Court, in connection with Shahpur P.S. Case No. 120 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds 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.

(Jitendra Kumar, J)

S.Ali/-

U		T	
---	--	---	--

