

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71501 of 2024

Arising Out of PS. Case No.-34 Year-2021 Thana- HASANPUR District- Samastipur

Congress Kumar @ Kamlesh Kumar Sahni @ Kangresh Kumar Son of
Bhular Sahni R/O Vill.- Jiur, P.S.- Hasanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shishir Kumar Shishir, Advocate Mr. Binod Kumar Sinha, Advocate
For the State	:	Mr. Rajiv Nayan, 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 present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Hasanpur P.S. Case No. 34 of 2021, registered for the offences punishable under Sections 307, 341, 323, 379, 427, 448, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the allegation, the accused have assaulted the informant causing injury on his body and allegation against the petitioner is of committing theft and snatching of a golden chain worth Rs. 25,000/-.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that matter has been compromised between the petitioner and the informant.

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.3 of the petition that the petitioner has no criminal antecedent.

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

8. Considering the aforesaid facts and circumstances, **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 Ld. A.C.J.M-IVth, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 34 of 2021, 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 criminal antecedents other than the



disclosed one, 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)

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