

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75441 of 2023

Arising Out of PS. Case No.-186 Year-2022 Thana- TEGHRHA District- Begusarai

1. Arun Singh Son of Late Devendra Singh R/o vill - Madhurapur Dakshin Tola Ward no. 24, P.S. - Teghra, Distt. - Begusarai
2. Jhun Jhun Singh @ Jhun Jhun Kumar Son of Nawal Singh R/o vill - Madhurapur Dakshin Tola Ward no. 24, P.S. - Teghra, Distt. - Begusarai
3. Krishna Kumar Son of Arun Singh R/o vill - Madhurapur Dakshin Tola Ward no. 24, P.S. - Teghra, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioners and the State.

2. The petitioners are apprehending their arrest in connection with Teghra P.S. Case No. 186 of 2022 instituted under Sections 341, 323, 308/34 of the Indian Penal Code lodged on 28.6.2022 by the informant, Rupesh Kumar.

3. As per the prosecution story, the informant alleged that while he was sitting at home and came to know that the petitioner no.2 wants to build his house despite Panchayati, upon protest, they were assaulted. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that the



injuries have been found to be simple in nature and none of the petitioner has criminal antecedent. Para-9 of the petition read as follows:

"9. That it is stated and submitted that after perusal of the injury report of Bodhan Singh that their injury is simple in nature caused by hard blunt substance and injury report of Bodhan Singh suggest opinion for the same has been reserved".

5. Learned APP submits that there is no clarity whether the injury has been found to be simple in nature or not.

6. In view of the categorical statement made by the petitioner in para-9 of the petition that injuries have been found to be simple in nature, they do not have criminal antecedents, this Court is inclined to extend them the privilege of anticipatory bail. The concerned Court shall get it confirmed whether the statement made in para-9 of the petition is correct or not. In case, it is found that the statement made is wrong/false, this order will cease to have any effect.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Teghra P.S. Case No. 186 of 2022 to the satisfaction of learned Court of Exclusive Special Excise Judge-I, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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