

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77836 of 2023

Arising Out of PS. Case No.-121 Year-2022 Thana- PATAHI District- East Champaran

Chulbun Singh @ Chulbul Kumar, Son of Kailash Singh, R/O Village- Barahi
Jadish, P.S.- Purnahiya, District- Sheohar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Patahi P.S. Case No. 121 of 2022 registered for the offences punishable under Sections 341, 342, 323, 307, 504, 34 of the Indian Penal Code. He has got one criminal antecedent in which he is said to be on bail.

3. As per the prosecution story, on 10.06.2022 the informant namely, Prince Kumar Singh had gone to attend a marriage ceremony of her cousin sister where a scuffle took place in the *Barat*. It is further alleged that after some time all the accused persons took away the informant at a lonely place and brutally assaulted him with iron rod.

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



case. It is submitted that similarly situated co-accused have already been granted bail by learned Co-ordinate Benches of this Court in Cr. Misc. No. 8099 of 2023 and Cr. Misc. No. 47887 of 2023.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein this petitioner is said to be similarly situated with the co-accused who have been granted bail in Cr. Misc. No. 8099 of 2023 and Cr. Misc. No. 47887 of 2023, there is no specific allegation against the petitioner, the petitioner has one criminal antecedent in which he is said to be on bail and learned APP for the State accepts that the similarly situated co-accused have been granted privilege of anticipatory bail, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Patahi P.S. Case No. 121 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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