

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79528 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- KALYANPUR District- Samastipur

Vivek Kumar Son of Arvind Kumar Singh Resident of Village- Mohanpur,
P.S- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amar Kumar Singh
For the Opposite Party/s	:	Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 106 of 2024, F.I.R. dated 26.04.2024 registered for the offences punishable under Sections 147, 149, 307, 379 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with other accused persons armed with weapons entered the house of the informant and assaulted the informant's wife and also looted away Rs. 92,000/- and golden earring from his wife.

4. Learned counsel for the petitioner submits that the petitioner having clean antecedent has falsely been implicated in the present case due to admitted land dispute. The informant is full brothers of the petitioner. As per F.I.R., petitioner assaulted



the informant wife with the iron rod due to which she became injured. From bare perusal of the injury report, it appears that the doctor has found the injury to be simple in nature.

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

6. Considering the aforesaid facts that the petitioner has clean antecedent, injury is found to be simple in nature, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of court of learned Chief Judicial Magistrate, Samastipur in connection with Kalyanpur P.S. Case No. 106 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the



witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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.

(Rajesh Kumar Verma, J)

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