

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84945 of 2024

Arising Out of PS. Case No.-1149 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Ravi Kumar S/O Basu Mahto R/O Vill.- Shankar Saraiya, Kaswa, P.S.
Turkauliya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2024 Heard Mr. Manjeet Kumar Mishra, learned counsel

for the petitioner and Mr. Anuj Kumar Shrivastava, learned APP

for the State.

2. The petitioner is apprehending his arrest in
connection with Turkauliya P.S. Case No. 1149 of 2023, F.I.R.
dated 09.11.2023 registered for the offences punishable under
Sections 147, 447, 341, 323, 325, 308, 379, 354(B), 504 and
506 of the Indian Penal Code.

3. Allegation against the petitioner is that he has torn
the cloth of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case due to admitted land dispute between the parties.



He further submits that there is case and counter case between the parties and although there is specific allegation against the petitioner that he has torn the cloth of the informant and there is no specific allegation of any assault or overt act attributed against the petitioner. He further submits that co-accused persons against whom the similar allegation of assault have been granted the privilege of anticipatory bail by this Court vide order dated 18.04.2024 passed in Cr. Misc. No. 19091 of 2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, 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 learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 1149 of 2023, 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 tampers 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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