

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84398 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- LAURIA District- West Champaran

1. Balbir Panda Son Of Vyas Panda R/O Village- Pandey Patti, P.S.- Lauriya, Dist.- West Champaran
2. Abhishek Panda @ Abhishek Kumar Son Of Late Ashani Panda R/O Village- Pandey Patti, P.S.- Lauriya, Dist.- West Champaran
3. Sateyendra Panda @ Satendra Kumar Son Of Dhiraj Panda R/O Village- Pandey Patti, P.S.- Lauriya, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Shrivastava, Advocate
For the Informant	:	Mr. Mayank Mohan, Advocate
For the State	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr. Sanjeev Kumar Shrivastava, learned counsel for the petitioners, Mr. Mayank Mohan, learned counsel appearing on behalf of the Informant and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Lauriya P.S. Case No. 250 of 2023, F.I.R. dated 02.09.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 504, 506 of the Indian Penal Code.



3. Allegation against the petitioners is that they have assaulted the informant and her family members with lathi, rod and farsha due to which her hand was cut at four places as well as she sustained injury on her nose and became injured.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case and there is case and counter case between the parties and both the parties are agnates and due to land dispute the present occurrence had taken place. He further submits that from perusal of the F.I.R. it appears that there is general and omnibus allegation against the petitioner no. 1 and there is allegation against the petitioner no. 3 that he has caught hold the daughter of the informant and there is no allegation of assault or overt act attributed against the petitioner no. 2.

5. Learned counsel appearing on behalf of the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against the petitioners that they have assaulted the family members of the informant with an intention to kill.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 250 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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