

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3935 of 2024

Arising Out of PS. Case No.-337 Year-2023 Thana- BARHARIA District- Siwan

Lalan Shah Son of Late Ramawatar Shah Resident of Village - Gousihata,
P.S.- Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer Jha, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr. Dharmveer Jha, learned counsel for the
petitioner and Mr. Rana Randhir Singh, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Barharia P.S. Case No. 337 of 2023, F.I.R. dated 01.09.2023 registered for the offences punishable under Sections 341, 323, 379, 504, 506, 307/34 of the Indian Penal Code.

3. The petitioner is alleged to have assaulted the informant on his head by the butt of country made *katta*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case due to previous enmity between the parties. He further submits that there is case and counter case between the parties and as per allegation in the F.I.R. that the petitioner has assaulted the informant upon his head and she has received



injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that there is direct and specific allegation that he assaulted the informant and apart from that the petitioner carries one more case other than the present one.

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 A.C.J.M. III, Siwan in connection with Barharia P.S. Case No. 337 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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