

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1814 of 2024

Arising Out of PS. Case No.-79 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Kanhaiya Jha Son of Late Kumarji Jha Resident of Village - Naruar, Police
Station - Bhairavsthan, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-01-2024 Heard Mr.Manoj Kumar Jha, learned counsel for the

petitioner and Mr.Ram Sevak Choudhary, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bhairavsthan P.S.Case No.79 of 2023,
G.R.No.1111 of 2023, FIR dated 17.06.2023 registered for the
offences punishable under Sections 341, 323, 353, 332, 307,
354, 504/34 of IPC.

3. Petitioner along with 20-25 male and female
persons are said to have abused and misbehaved with the
informant. They also assaulted the police personnel.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent. He has falsely been implicated
in the present case. The allegation as alleged in the FIR is false



and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that due to some dispute pertaining to the land in question the present occurrence had taken place, the allegation as alleged in the FIR is false and fabricated and the nature of allegation as alleged in the FIR is general and omnibus.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Bhairavsthan P.S.Case No.79 of 2023, G.R.No.1111 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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/her 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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