

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3757 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- HARLAKHI District- Madhubani

Shiv Shankar Singh Son of Late Rajendra Singh R/o Village- Phulhar, P.S.-
Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar,Advocate

For the Opposite Party/s : Mr.Abhay Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2024 Heard Mr.Ashok Kumar,learned counsel for the
petitioner, learned counsel for the informant and Mr.Abhay
Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Harlakhi P.S.Case No.206 of 2023,FIR dated 28.07.2023 registered for the offences punishable under Sections 341,323,354,307,379,504,506/34 of IPC.

3. Allegation against the petitioner is that he assaulted to the informant by means of iron rod causing injury on her head.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that as per FIR allegation against the petitioner is that he assaulted to the informant by



means of iron rod but there is no injury report available on the record to suggest that the informant has received any injury and due to admitted land dispute the present occurrence had taken place and the petitioner and the informant are agnates.

5. Learned counsel for the informant and learned APP for the State, on the other hand, have 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 Judicial Magistrate, 1st Class, Benipatti, Madhubani in connection with Harlakhi P.S.Case No.206 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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