

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68713 of 2024

Arising Out of PS. Case No.-627 Year-2023 Thana- JAHANABAD District- Jehanabad

Sachin Kumar @ Golu S/o Uday Varma Resident of Village- Hathiyara, P.S-
Deokund, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Dubey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-01-2025 Heard Mr. Sunil Kumar Dubey, learned counsel for the

petitioner and Mr. Navin Kumar Pandey, learned APP for the

State.

2. The petitioner is apprehending his arrest in
connection with Jehanabad P.S. Case No. 627 of 2023, F.I.R. dated
07.07.2023 registered for the offences punishable under Sections
147, 148, 323, 307, 504/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he has
assaulted the son of the informant namely Manish Kumar due to
which he sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that it appears from the F.I.R. that the date of occurrence as alleged in the F.I.R. is 04.05.2023 but the petitioner has filed the present complaint petition which is converted into the present F.I.R. on 05.06.2023.

5. Learned counsel for the petitioner further submits that although the petitioner is named in the F.I.R. and there is specific and direct allegation against the petitioner that he has assaulted to the son of the informant namely Manish Kumar and Manish Kumar has received injury but the injury report of the son of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the injury inflicted upon the son of the informant is simple in nature, 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, Jehanabad in connection with Jehanabad P.S. Case No. 627 of 2023, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 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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