

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72860 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- PANAPUR District- Saran

Mohan Kumar Sharma @ Mohan Sharma Son of Sri Bhagwan Sharma
Village- Satgora, P.S.- Panapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Alka Panday, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Ms.Alka Panday, learned counsel for the petitioner, learned counsel for the informant and Mr.Chandra Bhushan Prasad, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Panapur P.S.Case No.33 of 2024,FIR dated 10.02.2024 registered for the offences punishable under Sections 302/34 of IPC.

3. Allegation against the petitioner is that he assaulted with iron rod to the informant causing injury on his head.

4. Learned counsel for the petitioner submits that the petitioner has has falsely been implicated in the present case and due to petty dispute the present occurrence had taken place and there is case and counter case. Although both sides have



received injury and it appears from the FIR itself that the allegation against the petitioner that he assaulted to the informant with iron rod and although the informant has received injury but the injury report of the informant suggests that he has received three injuries and out of three injuries, two injuries are simple in nature and with respect to 3rd injury, opinion is reserved and both parties are agnates.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner in the FIR and apart from that, the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the anticipatory bail petition.

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 A.C.J.M.-VI, Saran in connection with Panapur P.S.Case No.33 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/Section 482(2) of the BNSS, 2023 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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