

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88727 of 2024

Arising Out of PS. Case No.-305 Year-2024 Thana- BAUNSI District- Banka

-
1. Hari Kishore Mandal S/o- Late Yugal Mandal Resident of Gali No 2, Thana Colony Bounsi, P.s-Bounsi, Dist- Banka
 2. Renu Chaudhary W/o- Hari Kishore Mandal Resident of Gali No 2, Thana Colony Bounsi, P.S-Bounsi, Dist- Banka
 3. Santosh Kumar S/o- Hari Kishore Mandal Resident of Gali No 2, Thana Colony Bounsi, P.S-Bounsi, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Acharya, Advocate
For the State : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2025 Heard Mr. Jitendra Acharya, learned counsel for the
petitioners and Mr. Raj Ballabh Singh, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Bounsi P.S. Case No. 305 of 2024, F.I.R. dated 07.10.2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 74, 352, 351, 3(5) of the BNS.

3. Allegation against the petitioners is that they caused hurt to the informant Kalpana Devi and her daughter Mayara Choudhary by lathi, danda and rod due to which they sustained head injuries.

4. Learned counsel for the petitioners submits that the



petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the present case is counter blast of Bounsi P.S. Case No. 361 of 2023 filed by the petitioner no. 2 against the informant and their family members and from perusal of the F.I.R. it appears that there is direct and specific allegation against co-accused person namely Rajiv Kumar and there is general and omnibus allegation against these petitioners. He further submits that the injury report of the informant suggests that the injury is simple in nature.

5. Learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and the injury inflicted upon the informant is simple in nature and there is case and counter case between the parties, let the petitioners, above named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned I/C C.J.M., Banka in connection with Bounsi P.S. Case No. 305 of 2024, 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) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

Ibrar//-

U		T	
---	--	---	--

(Rajesh Kumar Verma, J)

