

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.18000 of 2021**

Arising Out of PS. Case No.-322 Year-2020 Thana- CHOUTARWA District- West
Champaran

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ARJUN SONAR, S/o Nathuni Sonar, Resident of Village- Ratval, P.S.-
Chautarava, District- West Champaran. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Mitali, Advocate

For the Opposite Party/s : Mr.sShaheen Begum, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 14-07-2021 Learned counsel for the petitioner undertakes to remove

all the defects as pointed out by office within four weeks after start of

normal functioning of the Court.

Heard learned counsel for the petitioner and Mrs. Shaheen
Begum, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Chautarava P.S. Case No. 322 of 2020 registered for
the offence punishable under Sections 341, 323, 324, 307, 379, 504,
506/34 of the Indian Penal Code.

The prosecution story, in brief, is that when the informant
came outside from his house on 16.08.2020 at 8.30 A.M. he saw that
petitioner's father was throwing dirty water from his drainage then he
tried to stop him from doing so. Thereafter, an altercation took place
between both the family members and resultantly the informant and
two other family members got injured.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that both the parties are agnates to each other and there is a land dispute in which the alleged occurrence is said to have taken place and there is a case and counter case. The petitioner has remained in jail since 18.09.2020.

Mrs. Shaheen Begum, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein both the parties are agnates to each other and there is a land dispute in which the alleged occurrence is said to have taken place, there is a case and counter case and as per allegation, the petitioner had given one blow on Chhote Sonar causing grievous injury to him but there is no repetition of blow, the petitioner has got one criminal antecedent in which the petitioner is on bail as informed to this Court and he has remained in jail in connection with the present case since 18.09.2020, investigation against him is complete but the trial is not likely to take place in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bagaha, West Champaran in connection with Chautarava P.S. Case No. 322 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the



conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

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.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

