

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.22567 of 2021**

Arising Out of PS. Case No.-683 Year-2020 Thana- SIKARPUR District- West Champaran

RAJA ALAM, S/o Md. Chunna, Resident of Block Road, Ward No. 21,
Narkatiyaganj, P.S.- Shikarpur, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, A.P.P.

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

2 13-08-2021 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 Mr. Parmeshwar Mehta, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Shikarpur P.S. Case No. 683 of 2020 registered for the offence punishable under Section 341, 323, 324, 307, 504, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the First Information Report the petitioner had allegedly given the stab wound over the left side of the lower abdomen and right shoulder of the informant, however, on perusal of the injury report, copy of which is enclosed with the petition, it would appear that

the injuries are found to be simple in nature.

Learned counsel for the petitioner has on repeated query of this Court stated that both the injuries are simple in nature.

In paragraph '3' of the petition it is stated that the petitioner has otherwise no criminal antecedent and he runs a ready-made garments shop and it was the informant who had gone to the shop of the petitioner where the alleged altercation took place due to non fulfillment of the demand of extortion from the shop of the petitioner.

Mr. Parmeshwar Mehta, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but considering that the petitioner has no criminal antecedent, the place of occurrence is the shop of the petitioner where allegedly the informant had gone and the two injuries allegedly caused by this petitioner are simple in nature, however, he has remained in custody for about eight months, investigation against him is complete, therefore, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 683 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'.