

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28060 of 2020

Arising Out of PS. Case No.-208 Year-2019 Thana- PARASBIGHA District- Jehanabad

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Bade Bind, aged about 30 years (Male), S/o Bheem Bind @ Bhim Bind
Resident of Village- Bala Bigha (Kasma Tola), P.S.- Parag Bigha, Distt-
Jehanabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the State : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 01-02-2021

Heard Mr. Sanjay Kumar Sharma, learned counsel for
the petitioner and Mr. Anil Kumar Singh No. 1, learned
Additional Public Prosecutor (hereinafter referred to as the
'APP') for the State.

2. The petitioner apprehends arrest in connection with
Paras Bigha PS Case No. 208 of 2019 dated 08.10.2019 (G.R.
No. 2030 of 2019), instituted under Sections
341/323/324/307/504/34 of the Indian Penal Code.

3. The allegation against the petitioner and others is
that in an inebriated state, the informant while returning from
Durga Puja mela was insulted and her hand was caught and
when she shouted to her father he came and the petitioner, along
with others, was holding the father of the victim who received



blow on the head by another co-accused.

4. Learned counsel for the petitioner submitted that he has been falsely implicated and has no connection with the person who had caught the hand of the informant or who had assaulted and in fact there was some hot-talk between the parties and the petitioner had gone to mediate. Learned counsel further submitted that no injury report has been brought before the police and, thus, the whole story is concocted. Learned counsel submitted that the petitioner has no criminal antecedent.

5. Learned APP submitted that the petitioner had caught hold of the father of the victim but did not controvert that the allegation of assault on the head by iron rod is against another co-accused.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in Paras Bigha PS Case No. 208 of 2019 (G.R. No. 2030 of 2019), subject to the conditions laid down in Section 438(2) of the Code of



Criminal Procedure, 1973 and further (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

Anjani/-

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