

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7157 of 2021**

Arising Out of PS. Case No.-237 Year-2020 Thana- NAUGACHIA District- Bhagalpur

RAJ KUMAR @ KARMA SON OF LATE JYOTISH PASWAN RESIDENT
OF VILLAGE- TETRI, P.S.- NAUGACGIYA, DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No.2, APP

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

3 16-06-2021 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 learned A.P.P.
for the State.

Petitioner in the present case is seeking regular bail in connection with Naugachiya P.S. Case No.237/2020 registered for the offences punishable under Sections 341, 323, 307, 448 and 504 of the Indian Penal Code.

As per the First Information Report, the allegation against the petitioner is that he had assaulted the informant by farsa on his head with an intention to kill him.

Learned counsel for the petitioner submits that the allegations made in the FIR are not getting support from the injury



report as contained in Annexure-2. The injury report is showing simple injury caused by hard and blunt object whereas the allegation is that the petitioner has assaulted by farsa on the head. It is submitted that the petitioner is in custody in connection with this case since 10.08.2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the allegations made in the FIR are not getting support from the injury report as contained in Annexure-2, the injury report is showing simple injury caused by hard and blunt object whereas the allegation is that the petitioner has assaulted by farsa on the head, further submission that the petitioner is in custody in connection with this case since 10.08.2020, investigation against him is complete but the trial is not likely to be concluded in near future and he has no criminal antecedent, let the petitioner above named be released 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 A.C.J.M.-1st, Naugachiya, District-Bhagalpur in connection with Naugachiya P.S. Case No.237/2020, 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'.

