

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8830 of 2022

Arising Out of PS. Case No.-507 Year-2021 Thana- GHORASAHAN District- East
Champaran

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1. ALOK KUMAR
2. Brijesh Kumar
Both are Son of Prem Rai @ Prem Chandra Rai Resident of Village -
Kharjhariya, P.S.- Ghorasahan, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Asif Kalim, Adv
For the Opposite Party/s	:	Mr.Bharat Bhushan, APP
For the Informant	:	Mr. Nafisuzzoha, Advocate
	:	Mr. Manjeet Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 29-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in a case registered for the offence under Sections 341,323,307,504/34 of the Indian Penal Code.

Allegation against the petitioners is that they assaulted to the informant by lathi over his feet and stomach.

Learned counsel appearing for the petitioners submits



that petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that the present case is counter blast of Ghorasahan P.S.Case No.504 of 2021 filed by the father of the petitioners against the informant and his family members. He further submits that as per FIR, allegation against the petitioners is that they assaulted to the informant by lathi over his feet and stomach which is non-vital part of the body and and the petitioners are in custody since 29.11.2021.

Learned counsel for the informant as well as learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Ghorasahan P.S.Case No. 507 of 2021 with the 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 witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

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