

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10296 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- BEERPUR District- Begusarai

1. MD. SAJID Son of Md. Samsad @ Md. Shamshad
2. Md. Zahid @ Md. Jahid Son of Md. Samsad @ Md. Shamshad
Both Resident of Village- Birpur Purvi, Ward No. 10, P.S.- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv

For the Opposite Party/s : Mr.Choubey Jawahar,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2022 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 341,323,354,307,34 of the Indian Penal Code.

Allegation against the petitioners is that they outraged the modesty of the daughter-in-law of the informant by removing her Saree and when the son of informant intervened to save his wife, the petitioners armed with lathi-danda and iron



rod, started assaulting his son with leg-fists and inflicted serious injuries over his chest.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. There is no specific allegation of assault against these petitioners and it appears from the injury report that the nature of injury is simple in nature caused by Hard and Blunt Object and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 19.01.2022.

Learned A.P.P. for the State has 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 Birpur Police Station Case No.132 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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