

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14050 of 2022

Arising Out of PS. Case No.-61 Year-2021 Thana- MITHANPURA District- Muzaffarpur

Shantanu Kumar Singh S/O Chitranjan Singh R/o village- Bhoraha, P.S.-
Belsand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-07-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Virendra Kumar, learned counsel for
the petitioner as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Mithanpura P.S.Case no. 61 of 2021 for the
offences punishable under Sections 341, 323, 307, 504/34
of the Indian Penal Code.

As per the prosecution case, it is alleged that while
the petitioner was in judicial custody in connection with
Ahiyapur P.S.Case No. 1439 of 2019, he along with co-
accused Ratan Kumar Singh assaulted one Raja Rai from



wooden like substance.

It is submitted by the learned counsel for the petitioner that in fact on account of some trifling issue a free fight has taken place and the injury has been caused because the co-prisoner had fallen on the wall. It is further submitted that even as per FIR there is allegation against two persons, who assaulted the co-prisoner but the doctor has found only one injury, which is also found to be simple in nature. It is next submitted that the petitioner is in custody since 19.03.2021, though investigation has already been concluded and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner and submits that even in judicial custody the petitioner assaulted the co-prisoner.

Having heard the rival contentions of the parties and taking into consideration the fact that two persons have assaulted the injured, though only one injury has been found, that too, simple in nature, apart from the fact that petitioner is in custody since 19.03.2021, let the petitioner, above named, be released on bail on furnishing bail bonds



of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge XII, Muzaffarpur in connection with Mithanpura P.S.Case No. 61 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 cancelling 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.

(Harish Kumar, J.)

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