

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32484 of 2021

Arising Out of PS. Case No.-59 Year-2018 Thana- WAJIRGANJ District- Gaya

1. Pankaj Kumar @ Pankaj Singh Son of Krishna Deo Singh @ Krishnadev Singh Resident of Village- Mayapur, P.S.- Wazirganj, District- Gaya.
2. Pintu Singh @ Rajeev Kumar Singh Son of Krishna Deo Singh @ Krishnadev Singh Resident of Village- Mayapur, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kumar Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-02-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State in Virtual Court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioners seek bail in connection with Wazirganj P.S. Case No. 59 of 2018 registered for the offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code.

According to prosecution case, the informant gave Fardbeyan before the police stating therein that accused Chunnu



Singh was taking his tractor loaded with briks through his wheat field and thereafter, he and his cousin brother objected and stopped the tractor. Thereafter, driver of the tractor called his Malik and then petitioner and co-accused armed with Falsa, Tangi, Pasuli and Lathi came there and assaulted him as a result of which he sustained injury on his left hand and head and his cousin brother received injury on his neck, both hands, back and left leg. On Hulla, Arvind Singh came to rescue, then co-accused Chunnu Singh and Babu Singh assaulted him with Lathi on his head.

Learned counsel for the petitioners submits that petitioners have clean antecedent and have committed no offence and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons. He further submits that injury on the person of Arvind Singh is found simple in nature and the injury of Ranjeet Singh is grievous in nature on account of fracture and injury on the Pintu Singh it appears caused by the hard and blunts object. The petitioners are in custody since 07.01.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail, on the basis of material available on



the record as well as case diary submits that there is sufficient material against the petitioners.

Considering the aforesaid facts and circumstances, let the petitioner, 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 Additional Chief Judicial Magistrate-I, Gaya in connection with Wazirganj P.S. Case No. 59 of 2018, subject to 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 bond 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.

3. 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 antecedent, 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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