

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17082 of 2022

Arising Out of PS. Case No.-365 Year-2021 Thana- GRIYAK District- Nalanda

Ajay Prasad @ Jaua, Son of Dasrath Mahto, Resident of Village - Sakchisarai,
P.S.- Giriyak, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Kumar Prasad, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Umesh Kumar Verma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-09-2022 Heard learned counsel for the petitioner, the learned
APP for the State and learned counsel for the informant.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Giriyak (Pawapuri) P.S. Case No.365 of 2021 instituted
under Sections 452, 341, 323, 308, 325, 34 of the IPC.

As per the FIR, when the informant was present in the
house the accused persons came there and it is alleged that
Mukesh Kumar assaulted his daughter Saroj Devi with iron rod
causing fracture in her hand as also jaws. The further allegation
against Lalan Kumar is of assaulting Ramchandra Mahto.

In this matter, case diary was called for on 19.07.2022
which has since been received.

Learned counsel for the petitioner submits that



specific allegation is against Mukesh Kumar of giving iron rod blow on the jaw and hand of informant's daughter Saroj Devi and secondly on Lalan Kumar of assaulting Ramchandra Mahto, so far as these petitioner is concerned, it is alleged that he gave fist and slap blow.

Learned counsel for the informant submits that all of them have made unlawful assembly and there is allegation against Mukesh and others of giving iron rod blow and as such he does not deserve bail.

Taking into account the fact that there is specific allegation against Mukesh and Lalan, the petitioner is in custody since 12.11.2021, he has no criminal antecedent, charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Giriyak (Pawapuri) P.S. Case No.365 of 2021 to the satisfaction of learned A.C.J.M., Ist Nalanda at Biharsharif, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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