

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21622 of 2022

Arising Out of PS. Case No.-84 Year-2020 Thana- CHAKAI District- Jamui

AMARKANT PANDEY Son of Satyadeo Pandey @ Chaurasi Pandey
Resident of Village - Maheshwari, P.S.- Chakai, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with Chakai
P.S. Case No. 84 of 2020, G.R. No. 1355 of 2020 registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
379, 504, 307, 506 of the Indian Penal Code.

As per prosecution case, accusation against the
present petitioner is to assault informant's son on his head by
axe as a result of which he sustained injury.

Learned counsel for the petitioner submits that
petitioner is in custody since 09.02.2022. Petitioner bears no
criminal antecedent. Charge sheet has already been submitted in



the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that there is a case and counter case between the parties on same date of occurrence. There is no allegation of repeated blow on the head of informant's son by the present petitioner. The injured has managed C.T. scan report from private clinic in order to convert the injury as grievous after about 14 days.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner, there is a case and counter case between the parties on same date of occurrence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui in connection with Chakai P.S. Case No. 84 of 2020, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

amitkr/-

U		T	
---	--	---	--

