

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29774 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- CHIKSAUR District- Nalanda

Sanjeet Kumar @ Sanjeet Bind Son of Uchit Bind Resident of Village -
Jalalpur, P.S. - Chksoura, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-06-2022 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 petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 307, 379 and 506/34 of the Indian Penal Code.

Prosecution case, in short, is that co-accused Budhu Bind assaulted Sonu Kumar by *farsa* causing head injury, due to which he became unconscious. Co-accused Jawahar Bind assaulted Ajay Ram by *kudal* on his head, due to which he became senseless and co-accused Sanjeet Bind assaulted Bijay Ram by rod causing head injury, due to which he became unconscious. Other accused persons and 3-4 unknown assaulted



the informant and Om Prakash Ram by *lathi and farsa*, due to which they sustained injuries. Later on, in course of treatment victim Sonu Kumar died.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submitted that as per F.I.R. the allegation against the petitioner that he assaulted the informant and there is no repetition of blow and it appears from the report that the doctor has found the injury is simple in nature. He further submits that the present case is counter blast of Chiksoura P.S. Case No. 39 of 2020 filed by the co-accused Jawahar Bind against the informant and other family members of the informant. He further submits that after investigation police submitted chargesheet and adding Section 302 of the Indian Penal Code and the co-accused person Subhash Bind has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 16.09.2021 in Cr. Misc. No. 11838 of 2021 and other co-accused Bechan Bind has been granted anticipatory bail vide order dated 15.04.2022 in Cr. Misc. No. 28727 of 2020.

Learned APP for the State has opposed the prayer for bail of the petitioner.



Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Court below where the case is pending in connection with Chiksoura P.S. Case No. 38 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, 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 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



cancellation 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.

(Rajesh Kumar Verma, J)

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