

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23851 of 2022

Arising Out of PS. Case No.-98 Year-2021 Thana- TELHARA District- Nalanda

Vidyanand Singh @ Vidyanand Sinha @ Vidhyanand Singh S/O Late Ram
Naresh Singh Resident Of Village- Ranipur, P.s.- Telhara, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Buxi. S.R.P. Sinha, Sr. Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-06-2022 Let the defects, if any, be removed within four
weeks from today.

The present case has been listed on priority basis
on the motion slip filed by the advocate on record.

Heard Mr. Buxi .S.R.P. Sinha, learned counsel for
the petitioner as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks regular bail in a case registered in
connection with Telhara P.S.Case No. 98 of 2021 for the
offences punishable under Sections 341, 324, 307 of the
Indian Penal Code.

As per the prosecution case, it is alleged that on
09.07.2021, while the informant was going to his field, in



the meantime, petitioner came with Hasua and assaulted him on his abdomen, chest and his hand. The reason behind the said dispute is said to be watering of the land.

It is submitted by the learned counsel for the petitioner that both the informant and the petitioner are Gotiyas and this lands are situated adjacent to each other and there was dispute with regard to watering of the land. So far as the allegation of causing injuries to the informant is concerned, the same are found to be simple in nature. In support of his contention, injury report has been annexed as Annexure- 2 to this application which shows that informant has received two injuries, one over right side of the abdomen and another lacerated wound over right elbow and both the injuries are found to be simple in nature. It is next submitted that the police after investigation submitted charge sheet under section 308 and this petitioner voluntarily surrendered before the court below on 07.02.2022 and is in custody, since then, apart from the fact that the investigation has already been completed and charge sheet has been submitted.

On the other hand, learned counsel for the State



opposed the bail application of the petitioner and submits that the petitioner assaulted the informant by means of Hasua. Petitioner has found involved in one another case.

Having heard the rival contentions of the parties and taking into consideration that both the injuries are simple in nature and charge sheet has been submitted under section 308 of the IPC. Moreover, petitioner is in custody since 07.02.2022, 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 Chief Judicial Magistrate, Hilsa, Nalanda in connection with Telhara P.S.Case No. 98 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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