

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33290 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- NOKHA District- Rohtas

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Pintu Kumar S/O Bikrama Yadav @ Bikrama Singh Resident of Village -
Kushahi, P.S. Nokha, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-06-2022 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 147, 149,

341, 323, 324, 354, 504 and 506 of the Indian Penal Code.

As per prosecution case, in short, is that on

23.01.2021 at 07:00 P.M. the informant Priya Devi was alone in

her house then accused petitioner entered into the house in

drinking condition and attacked upon her with bad intention.

Informant raised alarm then the villagers and associates of the

Pintu Kumar came there with lathi, danda and farsa. Co-

accused Amarjeet assaulted Amar Kumar by farsa, Umesh



Kumar assaulted Raman Kumar by rod, Vijay Kumar and others also assaulted to Awadh Bihari and family members of the informant and the family members of the informant sustained injuries.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. In fact, the present case is counter blast of Nokha P.S. Case No. 16 of 2021 filed by co-accused namely Vijay Kumar against the husband of the informant. He further submitted that there is admitted land dispute between the parties and the injury report suggests that the injury is simple in nature caused by hard and blunt object.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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 Nokha P.S. Case No. 17 of 2021, 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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